THE

CIVIL SERVICE REGULATIONS

RELATING TO

SALARY, LEAVE, PENSION AND TRAVELLING ALLOWANCE

GENERAL ARRANGEMENT.

FINANCE DEPARTMENT.

Dated the 15th January 1915.

The Reprint of the Fifth Edition of the Civil Service Regulations now published supersedes the Edition of 1910, which should no longer be quoted. The numbering of the Articles and of the Appendices has been maintained, and, in addition to certain verbal alterations, all corrections up to date have been incorporated

2. In the course of the preparation of the 'Reprint,' the following omissions, modifications and additions of general application have been made.—

Articles which have been cancelled.—270 ; 1120.

(Appendix 2 has also been cancelled.)

Articles which have been modified.—68 ; 68A ; 71 (*a*) ; 72 (*a*) *and* (*b*) ; 74 (*a*) *and* (*c*) ; 84A ; 90 ; 142 , 157 ; 202 (*a*) ; 229 ; 280 ; 287, 288 ; 356 ; Exception (3), Note 1 ; 487 ; 514 ; 563 , 622 ; 838 ; 881, note ; 960 ; 970 ; 999 ; 1000 ; 1004 ; 1094 ; 1114 ; 1139.

(Appendices 10 and 32 have also been modified.)

New Articles.—172A · 172B ; 356, Exception (5) ; 474, Note 1 ; 481, Note ; 514 (*a*), Notes 1 and 21002, Note 1 ; 1131A ; 1137A ; 1138B.

(Two Reference Tables comparing the new and the old Foreign Service rules and *vice versâ* have also been added.)

J. B BRUNYATE,
Secretary to the Government of India.

PART I.—PRELIMINARY.

GENERAL ARRANGEMENT.

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CIVIL SERVICE REGULATIONS

RELATING TO

SALARY, LEAVE, PENSION AND TRAVELLING ALLOWANCE.

PART I.—PRELIMINARY.

Chapter I.—General Scope.

Extent of Application.

1. (*a*) These Regulations are intended to define the conditions under which salaries, and leave and pension and other allowances, are earned by service in the Civil Departments, and in what manner they are calculated They do not deal otherwise than indirectly and incidentally with matters relating to recruitment, promotion, official duties, discipline, or the like.

(*b*) Many orders applying to particular appointments or to particular individuals are not included in then [illegible] have been framed so as to embody [illegible] allowances, the leave and leave al[illegible] allowances of officers, the conditions of whose service in respect to these [illegible]

(*c*) These Regulations do not apply to the pay and allowances (except travelling allowances), pension and leave of officers of the Royal Indian Marine holding shore appointments, which are governed by the Marine Regulations.

2. The rules which apply to the ordinary Civil establishments of the State apply also to officers employed under the Military and Marine Departments and under Local Governments whose service does not qualify under the Army or Marine Regulations. The rules in Part VII apply to all officers in the service of the British Government.

3. The Travelling Allowance Regulations in Part XI apply to Military officers in the Army Secretariat of the Government of India; Chaplains of [illegible]

Except in cases in which it is otherwise provided in the Military Regulations, or in which it may be otherwise specially sanctioned by the Government

Page 2. Article 4.

Substitute the following for the word "and to pension............. service was rendered" in lines 7—12 of this Article:—

"and to pension by the rules in force at the time when the officer resigns or is discharged from the service of Government".

(5th Edition—Reprint No. 28 dated 7th May 1915)

sion:

(1) as regards rates, by the rules in force at the time when the officer resigns or is discharged from the service of Government; and

(2) as regards qualifying service, by the rules in force at the time the service was rendered.

NOTE 1.—[In all contracts for service in India to which the Secretary of State is a party provision is made for the exercise of these rights by the Government of India.]

NOTE 2.—[Extracts from a despatch from the Secretary of State and a Resolution by the Government of India relating to the rights reserved by Government in this Article:—

Despatch from Secretary of State, No. 10, dated 7th October 1880.

"[illegible]

Resolution No. 4563, dated 4th December 1891.

"The Government of India have always been careful to exercise the right of altering rules with due consideration for the rights of their servants. The ordinary course adopted to prevent hardship arising from any change of rule found necessary has been either to defer the introduction of the change for some time after its publication, or to give the officers affected the right of choosing whether they shall come under the operation of the old or of the new rules. It has been decided that the right of altering rules must be maintained, that care should be taken, as in the past, to prevent the introduction of any new rules from operating harshly, but that the Local Governments and the Government of India should not consider themselves precluded from recommending an exception in any case of individual hardship which may arise in spite of the precautions taken. If any case of apparent hardship arise, the local authorities should [illegible]

involved, they find that he has on the whole substantially suffered, the point may be taken into consideration in determining whether some compensation ought not to be granted in the particular instance."]

Chapter II.—Definitions.

5. Unless there be something repugnant in the subject or context, the terms defined in this Chapter are used in the Regulations in the sense here explained.

6. Absentee means an officer absent from an appointment on which he has a lien, either on leave or on deputation to another appointment, whether permanent or temporary, or on special duty unconnected with his own appointment, or on joining time during transfer to another appointment, or under suspension.

7. Accountant-General includes "Comptroller-General" and "Comptroller."

8. Active Service includes, besides time spent on duty in Ind...

No. 158.

Page 3. Article 8.

In the third line of Clause (ii) of this Article, substitute the words "Clauses (*a*) to (*c*) of Article 280" *for the words* "Clauses (*a*) (*ii*) and (*b*) of Article 280."

(5th Edition—Reprint, No. 158, dated 3-11-16.)

...by an officer, who is recalled to duty before the expiry of any recognised leave out of India, provided his return to duty is compulsory (see Article 199).

(iv) For purposes of pension, the period of absence from India of an officer deputed or detained out of India on duty.

9. In the case of a member of the Indian Civil Service, Active Service includes also—

(i) The interval between the date of an officer's first arrival in India and the date on which he joins his first appointment.

NOTE.—[If an officer does not join his first appointment within the joining time allowed him, the interval between the end of such joining time and the date on which he actually joins is not Active Service.]

(ii) Time passed in India, out of employ on Subsistence allowances but not on Furlough. [But see Exception in Article 187.]

NOTE.—[This clause applies to Military Officers subject to the Civil Leave Rules.]

(iii) For purposes of pension, the period not exceeding ten months spent in Russia in studying the Russian language.

10. *Cancelled.*

11. In the case of Engineers appointed from the Royal Indian Engineering College at Coopers Hill, who passed out of the College from the years 1878 to 1889, both inclusive, Active Service includes also the whole period from date of appointment to the service to date of joining their appointments in India, provided they reached India on or before the 1st of December of the year in which they passed out of College.

12. In the case of officers of the Telegraph Department appointed from the Royal Indian Engineering College at Coopers Hill, from the years 1883 to

1891, both inclusive, Active Service includes also the whole period from date of appointment to the service to date of joining their appointments in India, provided they reached India within the period named in their letter of appointment; otherwise from date of arrival in India.

13. Actual Travelling Expenses when used in Part XI, means the actual cost of locomotion for an officer himself, his servants, and personal luggage, including charges for ferry and other tolls, and for carriage of camp equipment (when necessary); but not including charges for hotels, dâk bungalows, or refreshments, or for the carriage of stores or conveyances, or for presents to coachmen, nor any allowance for such incidental losses or expenses as the breakage of crockery, the wear and tear of furniture, the entertainment of additional servants and the like

14. Age.—When an officer is required to retire, revert, or cease to be on leave, on attaining a specified age, the day on which he attains that age is reckoned as a non-working day, and the officer must retire, revert, or cease to be on leave (as the case may be) with effect from and including that day. This rule applies to all officers, Civil, Military or Naval.

15. Audit Officer means the Account and Audit Officer, whatever his official designation, in whose circle of audit a public servant is serving or (in respect to verification of service) has served, *i e.*,—

For service in an ordinary Civil establishment including the Public Works Branch—the Accountant-General.

" " " the Telegraph Offices—the Deputy Accountant-General, Telegraphs.

" " " the Post Offices,—

Bengal, Assam, Bihar and Orissa and Burma—the Deputy Accountant-General, Post Office, Calcutta.

Punjab and the United Provinces—the Deputy Accountant-General, Post Office, Delhi.

Central Provinces and Bombay—the Deputy Accountant-General, Post Office, Nagpur.

Madras—the Deputy Accountant-General, Post Office, Madras.

" " " the Military and Marine Departments—the Controller of Military Accounts.

" " " the Military Works Services—the Examiner, Military Works Services.

" " under the Railway Department—the Examiner of Accounts of the State Railway concerned.

16. Average S[illegible] officer has [illegible] gives [illegible]

NOTE 1.—[In the calculation of "Average Salary," "Privilege leave in case of regular vacations" on half pay granted under Articles 271 to 276 is treated as if it were on full pay.]

No. 63.

Page 5. *Article 16.*

Insert the following as Note 4 to this Article :—

NOTE 4.—[In calculating the furlough allowance of an officer of the Royal Engineers in civil employ, when the period spent in undergoing the Chatham course and the subsequent military training in India falls wholly or partly within the 3 years on which average salary is based, the salary drawn by the officer immediately before proceeding on military training should, for a maximum period of 12 months, be taken into account instead of the salary actually drawn at military rates while under training.]

(5th Edition—Reprint, No 63, dated 4-10-15.)

practised the ... ...on of ...

18. Calendar Month.—The following examples show how a period stated in calendar months should be calculated :—

Examples.—A period of six calendar months beginning on the—	ends on the—
28th February	27th August.
31st March or 1st April	30th September.
29th August	28th February.
30th August or 1st September	*last day of February.*
A period of three calendar months beginning on the—	ends on the—
29th November	28th February.
30th November or 1st December	last day of February.

19. Camp Equipment or Equipage.—"Camp equipment" includes tents and the requisites for pitching and furnishing them, or where tents are not carried, such articles of camp furniture as it may be necessary in the interests of the public service for an officer to carry with him into camp. "Camp equipage" means the apparatus for moving a camp.

20. Chaplain, when used in Part XI, includes any Minister of religion whether in Government service or not, performing under proper authority the duties of a Chaplain.

21. Consolidated pay includes Military pay and allowances or Indian Army pay which cannot be separately drawn

No. 158.

Page 5. *Article 22.*

In the second and third lines of Rule 1 under this A *substitute the words* "Clauses (*a*) to (*c*) of Article 280" fo *words* "clauses (*a*) (*ii*) and (*b*) of Article 280."

(5th Edition—Reprint, No 158, dated 2-11-18.)

have already had twelve months' such leave, or, in the case of leave granted under clauses (*a*) (*ii*) and (*b*) of Article 280, unless the officer have failed to pass the examination for which the leave was granted. Leave admissible under Article 281 may also be included, unless the officer fails to pass the examination for which the leave is granted.

23. Day.—When used in Part XI, the term "Day" means a calendar day beginning and ending at midnight. But an absence from head-quarters which does not exceed 24 hours is reckoned as one day, at whatever hour the period begins and ends.

24. Extraordinary leave means Special Furlough granted under Rule 8 of the Military Furlough Rules of 1875, leave without allowances granted under Article 339 of these Regulations, and leave of absence from duty granted (see Article 332) otherwise than under the Leave Rules.

Example.—Leave in extension of the three years admissible under Article 312.

25. Family.—When used in Part XI, "Family" includes the officer's wife, his legitimate children and step-children residing with and wholly dependent on him; and also his parents, sisters, and minor brothers if wholly dependent on, and residing with, him.

26. First appointment includes the appointment of a person not at the time holding any appointment under Government, even though he may have previously held such an appointment.

27. Foreign Service is service in which an officer receives his pay with the sanction of Government from sources other than the general revenues of India; see Article 750.

28. General Revenues for the purposes of pension includes Provincial Revenues and the Revenues of Mysore so far as regards service rendered in Mysore before the 1st October 1882, by Civil and Military officers who either had a status in the service of the British Government apart from their particular employment in Mysore, or having no such status were employed in Mysore when under British administration, and transferred to British service proper before that date.

NOTE.—[The service in Mysore of Civil and Military officers, as above described, became "Foreign Service" on the 1st October 1882.]

29. Grade and Class.—Appointments are said to be in the same "Class" when they are in the same Department, and bear the same designation, or have been declared by the Government of India to be in the same class. Appointments in the same class are sometimes divided into "Grades" according to pay.

[illegible]

29A. Heads of Departments.—The term includes—

(*a*) The officers specified in Part I of Appendix 1A.

(*b*) Those specified in Part II of the same Appendix and any others to whom the Local Government concerned may delegate the powers of a Head of a Department under the Resolution by the Government of India in the Finance Department, No 5525-Ex., dated the 19th November 1909.

29B. Imperial Branch or Service.—The term applies—

(1) to those services or branches of services, which are composed of gazetted officers recruited in England, *e g.*, the Indian Civil Service, Military officers filling gazetted Civil appointments;

and the "Imperial" as distinguished from the "Provincial" gazetted ranks of the Public Works Department, Forest, Indian Educational Service, Police, Agricultural, Civil Veterinary Departments,

(2) to such appointments as are specially declared by the Government of India to be "Imperial" appointments.

30. Indian Civil Service means the service formerly known as the Covenanted Civil Service

31. Lien on Appointment.—When an officer is said to have a lien on an appointment, it is meant that the right of such an officer to resume on return to duty a substantive or an acting appointment on which he has a lien is subject to the same condition of conformity with the interest of the public service as the tenure of the appointment is. An officer may have a lien on an appointment without having actually joined it.

32. (a) **Local Allowance** is an allowance not specially declared to be "Pay" or "Salary" given in addition to pay or salary either for duties which do not properly belong to an officer's office, or in consideration of exceptional local circumstances, such as the unhealthiness or expensiveness of the locality or duty, or the specially arduous nature of the work.

(b) Subject to the provisions of Articles 62 and 267 to 270, a Local allowance is paid in full to the officer actually present on duty, and is not taken into account in calculating leave allowances or pension.

33. Local Fund.—The expression "Local Fund" denotes :—

(1) Revenue administered by bodies which by law or rule having force of law come under the control of Government whether in regard to the proceedings generally, or to specific matters such as the sanctioning of their budgets, sanction to the creation or filling up of particular appoint[illegible]

Page 7. Article 34.

Substitute the following for this Article :—

34. Local Government.—This term applies primarily to the Provincial Governments enumerated in Part I of Appendix 1 with which regular or quasi-provincial settlements have been concluded, and the Minor Local Governments enumerated in Part II whose position is analogous to that of Provincial Governments, but which are not embraced in the system of Provincial Settlements. But for the purpose of these Regulations, the term also includes, in so far as they exercise the powers of a Local Government, the Departments and officers who are shown in Part III of the Appendix referred to as exercising these powers in full or in part.

(5th Edition—Reprint, No. 143, dated 14-8-16)

[illegible] may be included :—

(a) any period of employment of an officer in Foreign Service, if he has been transferred to such service direct from Civil employ;

4. A Military Officer in the Army Secretariat of the Government of India, and a Military Officer appointed from Military employment to be Private Secretary to a Lieutenant Governor, are not in Civil employ.

5. A M [illegible]

6. When a Military Officer subject to the Civil Leave Rules is temporarily deputed to the Military Department, but retains a lien on his appointment in the Civil Department, the period of his deputation qualifies for leave under the Civil Leave Rules.

7. An Officer of the Indian Medical Service who is subject to the Civil Leave Rules becomes subject to the Military Leave Rules on promotion to the rank of Colonel or Surgeon General.

(b) A 'Military Officer subject to the Military Leave Rules' means a Military Commissioned Officer in permanent Civil employ who is subject to the British Army Leave R [illegible] Officer, a Commissioned Officer of the [illegible] or a Warrant Officer. Such an offi [illegible] ficer" used in the Leave Rules.

NOTE. The term 'Military Commissioned Officer,' when used in these Regulations, does not include a Departmental Commissioned Officer, or a Commissioned Officer of the Indian Subordinate Medical Department, or a Warrant Officer.

(c) The term 'all Military Officers' means both Military Officers subject to the Civil Leave Rules, and Military Officers subject to the Military Leave Rules.

36. Ministerial Officer means an officer, whether gazetted or not, whose duties are not of an administrative or executive character, but who is employed as a member of an office establishment.

Examples.—A Registrar, an Accountant, or a Clerk is a Ministerial officer. A Tahsildar, a Police Inspector or Constable, or a Teacher in a school is not a Ministerial officer.

37. Native of India means any person born and domiciled within the dominions of His Majesty in India, or within the territories of Indian Princes tributary to, or in alliance with, His Majesty, of parents habitually resident in India, and not established there for temporary purposes only.

38. Pay and Salary.—

(a) "Pay" means "Monthly Substantive Pay."

(b) For the purposes of the Leave Rules in Chapter XIII, " Pay " includes also the Subsistence allowance of a member of the Indian Civil Service or a Military officer subject to the Civil

No. 17.

Page 9. Article 38 (c).

Substitute the following for rule 4 under this Article:—

4. The charge allowances admissible to Inspectors and Charge Clerks, Indo-European Telegraph Department, are part of their salary.

(5th Edition—Reprint No. 17, dated 7th May 1915.)

NOTE.—[These definitions do not necessarily apply to the Statutory Rules under Articles 543, 567, etc.]

39. The **" Pay of an appointment "** means the pay which any particular officer would receive monthly if he held the appointment substantively.

1 The allowances of an officer acting in an appointment the pay of which is subject to increase upon the passing of an examination or upon the completion of a certain period of service, are calculated upon the pay which he would from time to time receive if he held the appointment substantively

2 The allowances of an officer acting in an appointment

40. (a) The **" Pay of an Officer "** is—in the case of an officer with a substantive appointment—the amount which he would receive monthly under any of the following designations, in his substantive appointment:—

Military pay and allowances and Staff Salary.
Indian Army pay and Staff Salary.
Substantive pay
Consolidated pay.

(b) In the case of an officer without a substantive appointment,—his monthly Subsistence allowance (if a member of the Indian Civil Service, a Statutory Civil Servant, or a Military officer subject to the Civil Leave Rules); and his Military pay and allowances or Indian Army pay (if a Military officer subject to the Military Leave Rules)

41. Pension.—Except when the term " Pension " is used in contradistinction to Gratuity, " Pension " includes Gratuity.

42. Port Officers.—The Port Officers of Calcutta, Madras, Bombay, Rangoon, Karachi, Aden, Akyab, Moulmein and Chittagong, the First

PART I.

Assistant Port Officer, Rangoon, and the Assistant Port Officers at Madras and Bombay, are "Senior Port Officers." All other Port Officers are included in the term "Junior Port Officers."

43. Progressive Appointment means an appointment the pay of which is progressive, that is, pay which, subject to the good behaviour of an officer, rises, by periodical increments, from a minimum to a maximum.

NOTE.—[For brevity's sake, a Progressive pay is described by three groups of figures, namely, the minimum, the increment, and the maximum, thus Rs 100—20—200 means a pay rising from Rs. 100 by a yearly increment of Rs. 20 to Rs. 200]

44. Public Conveyance means a train, steamer, or other conveyance which plies regularly for the conveyance ... such

. and

... said to be

Page 10.

Insert the following as Article 44-A :—

44 A. Remuneration includes, besides monthly substantive pay or salary, other payments to officers from general revenues (i e., Imperial and Provincial revenues, as well as the revenues of local funds administered by Government), whether in the nature of fixed allowances, subject to the exceptions specified below, or of fees, rewards (except language rewards other than those which take the form of monthly allowances) or recurring honoraria. It does *not* however include the pension of an officer who is re-employed, local allowances granted on account of the unhealthiness or expensiveness of particular localities, exchange compensation ... onveyance

a ... to civil

31 ... other hill

n ... a recurring honoraria.

(5th Edition—Reprint, No 141, dated 14-8 16.)

48. Warrant Officer.—A Departmental officer with honorary rank or Warrant Officer includes all Departmental officers with honorary rank and Warrant Officers of all Indian Army Departments to whichever Military furlough rules they may be subject. These officers are :—

(a) Departmental officer with honorary rank—

(i) Deputy Commissary.

(ii) Assistant Commissary.

(iii) Deputy Assistant Commissary.

(iv) Senior Assistant Surgeon.

Warrant Officer—

(i) Conductor.

(ii) Sub-Conductor.

(iii) Assistant Surgeon of the 1st, 2nd, 3rd or 4th class.

Part II.—RULES REGARDING PAY AND ALLOWANCES.

GENERAL ARRANGEMENT.

PART II.—RULES REGARDING PAY AND ALLOWANCES.

Chapter III.—General Rules for regulating Allowances.

No. 148.

Page 13. Article 49.

Insert the following as Note 1 to this Article, numbering the existing Note as Note 2 :—

NOTE 1.—[This Article also applies to all officers appointed to permanent superior non-pensionable posts under Government.]

(5th Edition—Reprint, No 148, dated 10-10-16)

he has any disease, [illegible]

. . . . I do not consider this a disqualification for employment in the office of . . . . *A B's* age is according to his own statement (*x*) years, and, by appearance, about (*y*) years

[illegible]

50. The Local Government may, in any individual case, on public grounds, dispense with the production of the certificate required by Article 49 and may make any rules it considers necessary for prescribing the particular Medical Officer (or officers) whose certificate is required for appointments to any office or department In the case of an officer who is appointed on pay not exceeding fifty rupees, the Local Government may accept a certificate in such form as it considers sufficient from any other officer who need not even be a medical man, and it may delegate its power in this matter to the officer having authority to make the appointment.

No medical certificate is necessary upon an of[illegible] being promoted from

ervice

No. 17

Page 13. A

Insert the words "or the Punj

narily

in clause (a) (i) of this Article.

sanc-

The

(5th Edition—Reprint, No. 172, dated 10-1-17).

Page 13. Article 51.

Insert the word "pensionable" after the word "superior" in the second line of this Article.

(5th Edition—Reprint, No. 148, dated 10-10-16.)

(*b*) thirty years in the case of—

(i) a person appointed to a Judicial office;

(ii) [illegible] who held Burma medical [illegible] College;

(iii) Candidates for admission to the Subordinate Civil Service in Burma by competitive examination:

(*c*) twenty-eight years in the case of—

(i) Civil Assistant Surgeons in the Bengal Presidency, the United Provinces, the Punjab, Burma, Bihar and Orissa, the Central Provinces and Assam, who had taken a University degree, or had passed the Intermediate Examination in Arts or Science before commencing the study of Medicine;

(ii) Civil Assistant Surgeons in the Bombay Presidency who had passed the previous Examination in Arts before taking the *Medical Degree*;

(iii) Civil Assistant Surgeons in the Madras Presidency who had passed the Intermediate Examination in Arts or Science before entering on the course of the Degree of Licentiate in Medicine and Surgery, and those who had gone through the course for the degree of Bachelor of Medicine before entering the service.

NOTE 1.—[This Article does not apply to the employment in civil capacities of reservists and pensioners of the Native Army.]

NOTE 2.—[The Quarter Master General in India exercises the powers of a Head of a Department under this Article in respect of Transport Veterinary Assistants.]

Date of reckoning Allowances.

52. (*a*) Unless it be otherwise provided by special rule or contract, the salary of an officer begins when he takes charge of the appointment in respect of which it is earned. If the charge is transferred after noon, the transfer does not affect allowances until the next day.

(*b*) If, [illegible] while he is [illegible] is appointe[illegible] that his tenure of his officiating appointment is not interrupted by his new [illegible]

(*c*) The Local Government may by general or special order allow a student, stipendiary or otherwise, who is entitled to be appointed to the service of Government on passing through a course of training at a university, college or school, to draw pay f[illegible] which the final qualifying examination pass[illegible] charge of his duties on that date. It may also grant such a student leave for a period not exceeding five weeks, or in the case of Burma six weeks, from the date from which he is allowed to draw pay and count service.

Page 15. Article 53. 53-7

sert the following after the word "headquarters" in rule 2 'er this Article :—

if for urgent reasons the leave is granted during vacation, as soon ure) 'ranted." ures

(Edition—Reprint, No. 106, dated 4-4-16.)

Page 15. Article 53.

(1) Substitute the following for rule 1 under this Article :—

1. A Provincial Government may delegate to a subordinate authority the power to relax, for special and recorded reasons of a public nature, the provisions of this Article in the case of any class of officers serving under the latter whose transfer has been ordered by competent authority not higher than that of the Provincial Government

(2) Insert the following as Rule 2 under this Article, renumbering the present Rule 2 as Rule 3 :—

2. Sanction to the delivery of charge away from headquarters, but within the jurisdiction of the officer relieved, may be accorded by Minor Local Governments and by Heads of Imperial Departments in respect of all officers serving under them who are transferred under competent authority. In special cases where the Head of the Minor Local Government or Imperial Department desires, for particular reasons connected with the public service, to confer at his own headquarters with the relieving officer before the latter enters upon his local duties, he may permit the transfer to be made at his own headquarters.

(5th Edition—Reprint, No 147, dated 14-8-16)

Page 15. Article 55

No. 179.

Page 15. Article 57.

Substitute the following for this Article and the Note and Rule 1 under it :—

57. A Lo ... rs to proceed on duty to any p ... its own jurisdiction, or to an ... provided either that the pay ... eable wholly or partially to Provincial Revenues or that the officer belongs to a Department or establishment, which, though paid from Imperial Revenues, is under administrative control of the Local Government.

NOTE.—[The Local Government may delegate its powers under this Article to ...

his duties.

(5th Edition—Reprint, No. 179, dated 6-2-17)

1. An officer permitted under this Article to proceed to any place on duty may take with him such establishment and records as are absolutely necessary for the efficient discharge of his duties.

58. A Controlling officer (see Article 1159) may allow any officer subordinate to him to proceed on duty to any part of the territories of his Local Government or to a District or Foreign State or Settlement adjoining the jurisdiction of the Controlling Officer and to draw travelling allowance under rule

59. An Accountant-General may, under the orders of a Local Government, *pass pay and allowances (according to rule) to the head of an Administration* for any period during which he may be absent from his jurisdiction and to any member of his personal or Secretariat staff Such an order is, with reference to the Statute 3 and 4 Will. IV, Cap. 85, s. 79, a sufficient authority to the Accountant-General for assuming that the absence is on the known actual service of the Government.

Promotion during Leave.

60. An officer on Long Leave has no claim to substantive promotions. Such promotion may, however, be given, but, except in the case provided for in the Note under Article 585 (*a*), the promotion has effect only from the date on which the officer returns to duty.

If an officer, while absent on Short Leave during which the amount of his leave allowances depends upon the substantive or officiating appointment which he would hold if present on duty, obtains promotion, substantive or officiating, or an increase of pay or acting allowance which involves no change in, or addition to, his duties or responsibilities, the promotion or increase has effect at once.

Personal and Local Allowances.

61. Unless in any case it is specially ordered otherwise, a personal allowance should be reduced by any amount by which the recipient's pay or salary may be increased, and should cease as soon as his pay or salary is increased by an amount equal to his personal allowance.

62. So much of a local allowance as is not paid to a substitute may be drawn by an officer absent from his office through deputation on special duty for a period not exceeding one month. If the absence exceeds a month, an officer is not entitled to draw his local allowance for any part of the absence. This rules applies also to an officer in receipt of presidency allowance at a Presidency town who is absent from the Presidency town on duty connected with his office; but an officer in receipt of house-rent at a Presidency town may, during absence from the Presidency town, whether on other duty or on duty connected with his office, continue to draw his house-rent, provided the term of his absence does not exceed two months, exclusive of the months of departure and return; if the absence exceeds this term, the house-rent is not admissible for any part of the absence. A claim to house-rent under

this Article must be supported by a certificate by the officer that his previous rate of expenditure for a house at the Presidency town continued during his absence.

NOTE.—[This rule applies also to officers in receipt of house-rent allowances at Shillong

of absence is under or over a month.

4. Members of the Persian Section, Indo-European Telegraph Department, who receive

rent for the same station in respect of the same period]

Salaries of Natives of India.

63. The salary of a Native of India appointed to an office which has been usually filled by a member of the Indian Civil Service, or of the Indian Army or by nomination in England, or otherwise with specific approval of the Secretary of State, is, in the absence of special orders to the contrary, two-thirds of that assigned to the European.

NOTE 1.—In the case of appointments usually filled by members of the Indian Civil Service, the two-thirds is more accurately described as 64 per cent., thus—

	Rs
Full salary	100
De[illegible]	[illegible]
	96
	64

ed to in this
e of India]

Civil De-

ot exceed-
ant of any advance made
in England ;

(ii) on return from long leave or special duty out of India, not exceeding two months' pay or Rs. 1,000, whichever is less, in addition to any advance made by the Secretary of State in England.

(b) The advance may be drawn under the orders of the Audit Officer from any treasury in India to be specified in such orders.

(c) Such advances, as well as similar advances issued by the Home Government, are to be recovered by monthly instalments of one-third of salary.

65. An officer returning from leave out of India may be granted an advance of his leave allowance for the unexpired portion of his leave subject to a maximum of 35 days from the date of embarkation for India.

66. An advance of pay made in England to enable an officer to return to duty in India, or to one appointed in England proceeding to India to join his appointment, is recovered at the rate of exchange fixed for the adjustment of financial transactions between the Imperial and Indian Governments for the year in which the advance was made.

Transfer on Duty.

67. (a) No officer (unless he has been newly appointed to the service of Government) can begin to draw any pay or allowances at any treasury in India, or at the Home treasury of the Government of India, without producing a last-pay certificate from the treasury where his pay or allowances were last disbursed, or from the Accountant-General within whose jurisdiction this treasury is, or in the case of a non-gazetted officer, from the head of the office under whom he was last employed.

(b) The rules regarding the issue of last-pay certificates in connection with " transfer on duty " are laid down in Appendix 3.

68. A salary or establishment bill on account of an officer, of whatever rank, required to accompany the head-quarters of a Government to a hill station, or other station which has been declared to be the head-quarters of Government for the time being, signed or countersigned by a gazetted officer, is exempted from the operation of the preceding Article.

Pay of officers undergoing training or instruction.

68A. The Local Government may authorise an officer to undergo a

In the case of a non-gazetted officer allowed under the provision of Article 57 to proceed outside the limits of the province in which he is serving, the Local Government may, at its discretion, grant in addition an allowance not exceeding one-fifth of his salary, when it considers that the expenses of the officer exceed those to which he might be put by a temporary transfer on duty within the province in which he is employed. If the place of training has been recognised as particularly expensive by the grant of special compensatory allowances to officers stationed there, the Local Government, at its discretion, may in addition grant a non-gazetted officer an allowance similar to the com-

Page 19. *Article 68 A.*

Insert the following Note under this Article :—

NOTE.—[The Local Government may delegate its powers under this Article to Heads of Departments.]

(5th Edition—Reprint, No. 142, dated 14 8 16.)

NOTE.—[The rules in this Chapter are to be read as superseded or revised by the Resolutions defining the powers of the Government of India and local Governments in these matters. No amendment has, however, been made in this reprint pending a general revision of the Code.]

69. The maximum Civil Salary, except of appointments of which the salary is fixed by Statute, is Rs. 50,000 a year. But sumptuary allowances, travelling allowances and the like may be granted in addition to this maximum.

70. The sanction of the Secretary of State is required to any increase which would have the effect of—

(1) raising the pay of an appointment which would ordinarily be held by a gazetted Civil officer recruited in England ;

NOTE.—[The word "pay" in this clause has the meaning assigned to it in Chapter II of the Civil Service Regulations. The Government of India are empowered to grant local or other special allowances to an officer of the above class, provided that his salary is not thereby raised to an amount in excess of Rs 750 a month.]

(2) raising the salary of an officer or of a sanctioned appointment, not of the class specified in (1), to an amount in excess of Rs 750 a month, or increasing a salary which is already in excess of that amount.

NOTE I.—[In the case of incremental pay, the test for the application of this rule is the maximum pay attainable.]

the following .—

(e) Office allowances.

other Hill allowances, and

employed.]

the Secretary

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the

(c) Such advances, as well as similar advances issued by the Home Government, are to be recovered by monthly instalments of one-third of salary.

[illegible] subject to Gove- [illegible] egulated by Article [illegible]]

65. An officer returning from leave out of India may be granted an advance of his leave allowance for the unexpired *portion of his leave subject* to a maximum of 35 days from the date of embarkation for India.

66. An advance of pay made in England to enable an officer to return to duty in India, or to one appointed in England proceeding to India to join his appointment, is recovered at the rate of exchange fixed for the adjustment of financial transactions between the Imperial and Indian *Governments for* the year in which the advance was made.

Transfer on Duty.

67. (a) No officer (unless he has been newly appointed to the service of Government) can begin to draw any pay or allowances at any treasury in India, or at the Home treasury of the Government of India, without producing a last-pay certificate from the treasury where his pay or allowances were last disbursed, or from the Accountant-General within whose jurisdiction this treasury is, or in the case of a non-gazetted officer, from the head of the office under whom he was last employed.

(b) The rules regarding the issue of last-pay certificates in connection with "transfer on duty" are laid down in Appendix 3.

68. A salary or establishment bill on account of an officer, of whatever rank, required to accompany the head-quarters of a Government to a hill station, or other station which has been declared to be the head-quarters of Government for the time being, signed or countersigned by a gazetted officer, is exempted from the operation of the preceding Article.

Pay of officers undergoing training or instruction.

68A. The Local Government may authorise an officer to undergo a course of instruction, or training; and may, at its discretion, decide what pay shall be allowed during the period of training up to the limit of the salary which the officer would have drawn but for his undergoing such training. In the case of a non-gazetted officer allowed under the provision of Article 57 to proceed outside the limits of the province in which he is serving, the Local Government may, at its discretion, grant in addition an allowance not exceeding one-fifth of his salary, when it considers that the expenses of the officer exceed those to which he might be put by a temporary transfer on duty within the province in which he is employed. If the place of training has [illegible] particularly expensive by the grant of special compensatory [illegible]

Page 19. Article 68 A.

Insert the following Note under this Article :—

NOTE.—[The Local Government may delegate its powers under this Article to Heads of Departments.]

(5th Edition—Reprint, No. 142, dated 14 8 16.)

[illegible]

NOTE.—[The rules in this Chapter are to be read as superseded or revised by the Resolutions defining the powers of the Government of India and local Governments in these matters. No amendment has, however, been made in this reprint pending a general revision of the Code.]

69. The maximum Civil Salary, except of appointments of which the salary is fixed by Statute, is Rs. 50,000 a year. But sumptuary allowances, travelling allowances and the like may be granted in addition to this maximum.

70. The sanction of the Secretary of State is required to any increase which would have the effect of—

(1) raising the pay of an appointment which would ordinarily be held by a gazetted Civil officer recruited in England ,

NOTE —[The word "pay" in this clause has the meaning assigned to it in Chapter II of the Civil Service Regulations The Government of India are empowered to grant local or other special allowances to an officer of the above class, provided that his salary is not thereby raised to an amount in excess of Rs 750 a month]

(2) raising the salary of an officer or of a sanctioned appointment, not of the class specified in (1), to an amount in excess of Rs 750 a month, or increasing a salary which is already in excess of that amount.

NOTE 1.—[In the case of incremental pay, the test for the application of this rule is the maximum pay attainable.]

NOTE 2 —[The term "salary" used in this Article includes not only salary as defined in Article 38 (*c*), but all payments to officers from General Revenues, or from Local Funds whether in the nature of fixed allowances, or of fees, rewards (except language rewards other than those which take the form of monthly allowances) or honoraria It does not, however, include the following .—

(*f*) Simla and other Hill allowances, and
(*g*) The pension of an officer who is re employed]

NOTE 3 —[In the case of single fees, rewards or honoraria, the sanction of the Secretary of State is required only to payments in excess of Rs. 1,000 (*vide* Article 72)]

Additions to Salary.

71. (*a*) Unless in any particular case it be otherwise distinctly provided, the whole time of a public officer must be held to be paid for by the State, and he may be employed in any manner required by proper authority within his own branch of duty, without claim for additional remuneration, whether the services rendered are such as would ordinarily be paid for from General Revenues or a Local Fund or from the revenues of a Native State.

(b) All Municipalities ...
inclusive of Port ...
tuitous advice and ... of the Public Works Department, and of all Government Medical, Sanitary and Educational officers whenever these can, in the opinion of the Local Government, be given without detriment to the public service It will rest with the Local Government in each case to decide whether this last condition is fulfilled, and to indicate in each instance to what officer application for advice or assistance should be made When a Municipality has its own Engineer or Manager, it will probably only desire to consult some superior officer of the Public Works or other ... more direct supervision and assistance may ... be freely given without charge if the Local ... supervision and assistance can be given without detriment to the public service.

(c) This rule does not, however, affect such officers as Directors of a Railway Company, Members of a Town Council or a Port Trust, Government Director of the Darjeeling Railway, Chairman or Vice-Chairman of the Rangoon Port Trust, who are entitled under any special or local law to receive fees or other remuneration for attendance at meetings of Directors or Commissioners, etc , for the transaction of business.

72. (a) An officer may be granted an honorarium ...
and he may ...
the revenues ...
within or ... his ordinary duties, when the work is of such exceptional merit or of such an arduous or peculiar nature as to justify a special reward.

(b) The powers of sanction of the several authorities in such cases are as follows :—

Up to Rs. 100, by the Head of the Department ;
" " 500, by the Local Government ;
" " 1,000, by the Government of India ;
Above " 1,000, the sanction of the Secretary of State is required ,

Provided that the limit of sanction, when the charge falls on Imperial Funds in the case of a Local Government, shall be Rs. 200 in each case.

NOTE 1.—[This rule applies to single ...

NOTE 2 —[Pensioned officers of Government rank as private persons in respect of the receipt of honoraria from General Revenues, from Local Funds, or from the revenues of a Native State.]

(c) If it is proposed to grant to any officer for special work of any description a bonus or ...
ment ...
Gover... the Finance Department must be obtained to the payment of a specific sum before the work is begun.

(c) An honorarium shall not be given under this article for superintending an examination rendered compulsory on persons belonging to the public service, or any other examination the conduct of which comes within the ordinary duties of the officer or officers conducting them. But an honorarium may be granted to an officer superintending an examination of candidates for admission to the public service or any other examination the conduct of which is declared by the Local Government, or a head of a department authorised to hold such examination, not to come within the ordinary duties of the officer or officers conducting them. If fees are levied from the candidates appearing at an examination and the amount of such fees is sufficient to cover the honoraria of the examiners, the Local Government, or a head of a department authorised to hold the examination, may sanction the grant of honoraria irrespective of the limits in clause (*d*) below, and the reference required by that clause to a higher authority *or to the Secretary of State in certain cases* shall not be necessary.

(d) The powers of sanction of the several authorities are as follows :—

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nance of

Also in... the following as Note 2 under the clause, the existing Note being numbered 1 :—

NOTE 2.—[A Local Government may delegate the power of a head of a Department under this Article to other subordinate authorities in respect of non-gazetted officers serving under the latter.]

(5th Edition—Reprint, No 142, dated 24-8-16)

NOTE —[This rule applies to educational officers who are allowed to accept fees for private tuition work The amounts specified above are the limits up to which fees may in such cases be allowed, for a scholastic term or for a long vacation, by the sanctioning authorities concerned.]

PART II.



(*d*) This rule does not apply to medical officers who are allowed to accept fees from private persons for professional attendance, subject only to the orders contained in the Resolution of the Government of India in the Home Department, No. 813, dated 18th December 1888.

(*e*) The Government of Bengal, for reasons which must be recorded, may sanction the acceptance by a pilot or leadsman apprentice of a reward, not exceeding Rs 500, where special and exceptional services are rendered, whether to the ship of which he is in charge, or to another vessel. But this rule does not authorize a pilot or leadsman apprentice to enter into a bargain or arrangement, stipulating that he shall receive an extra fee in consideration of rendering extra services.

Permanent Appointments.

75. The previous sanction of the Secretary of State is required—

(1) to the creation of any new permanent appointment which would ordinarily be held by a gazetted Civil officer recruited in England; and

(2) to the creation of a permanent appointment, not of the class specified in (1), of which the salary (as defined in Article 70) exceeds Rs. 500 a month

If an emergency should arise demanding the immediate creation of such an appointment, it may be made provisionally; but in such case it must be reported to the Secretary of State, no expectation being held out to the individual appointed to it which would warrant a claim for compensation in the event of the appointment not being finally sanctioned.

76. As regards Provincial charges, the limits of authority of Local Governments in respect to permanent appointments are as follows :—

Without the authority of the Government of India—

(i) no appointment may be created with a pay of more than Rs. 250 a month; and no addition may be made to the pay and allowances of any officer if they exceed, or would, after the addition, exceed, Rs. 250 a month;

(ii) no appointment, of which the pay and allowances are more than Rs. 250 a month, may be abolished; and the pay and allowances of no such appointment may be reduced;

(iii) no class or grade of officers may be created or abolished; and the pay of no class or grade of officers may be raised or reduced;

(iv) no addition may be made to the pay or allowances of any individual officer, or class of officers, that may lead to increase in the emoluments of any public servants doing duty in the same province whose pay and allowances are not charged under one of the transferred heads of service. The Government of India reserves the right to forbid alterations in rate of pay and allowances which, in its opinion, would produce inconvenience in other provinces

Temporary Appointments and Deputations.

77. An officer is said to be on deputation when he is detached on special temporary duty for the performance of which there is no permanently or temporarily sanctioned appointment. A temporary appointment is an appointment carrying a definite rate of pay sanctioned for a limited time.

77A. Temporary appointments and deputations may be made under the following rules which are subject to the general condition that any temporary appointment or deputation on a salary exceeding Rs. 50,000 a year requires the previous sanction of the Secretary of State, unless the officer to be appointed or deputed has a lien on an appointment carrying a salary of equal or higher value, fixed by Statute.

78. Temporary appointments and deputations, the cost of which is wholly or partly Provincial, may be sanctioned by Local Governments without reference to the Government of India—

(*a*) for any specified period, if the salary or salary and deputation allowance do not exceed Rs. 250 a month ;

(*b*) for not more than six months, if the salary or salary and deputation allowance exceed Rs. 250 a month.

In the Public Works Department, temporary appointments on pay not exceeding Rs. 250 a month, the cost of which is Imperial, may be sanctioned by a Local Government.

78A When a temporary appointment is filled by an officer in the service of Government, his salary will be determined as follows :—

(i) If the temporary appointment is of like character to existing permanent appointments :—

(*a*) If the latter are divided into grades or classes, the temporary appointment will be treated as a temporary addition to the corresponding grade or class of the cadre, and the salaries of all officers concerned will be regulated according to promotions within the cadre under the rules in Chapter V.

(*b*) If the appointments are not graded, the salary of the officer filling the temporary appointment will be equal to that which he would draw if he were acting in a permanent appointment on the same pay. The promotions made in such arrangements may be sub. *pro tem*, if the temporary appointment is for not less than six months, in accordance with the provisions of Article 90

NOTE —[A temporary addition to a clerical establishment for the performance of work falling within the ordinary duties of the establishment comes under clause (*a*) above]

(ii) If it is not of like character to an existing appointment, at an amount which does not exceed the pay and deputation allowance which the officer would draw if he were placed on deputation under Article 81.

The Government of India may sanction the drawal by the holder of a temporary appointment of a salary in excess of what is permissible under the above rules, subject to the maximum limit of the pay of the appointment.

The Local Government may sanction the drawal by the holder of a temporary appointment, not exceeding Rs. 800 a month, of a salary in excess of what is permissible under the above rules, subject to the maximum limit of the pay of the appointment, and provided that no special orders of the Government of India are thereby infringed

79. Temporary appointments may be sanctioned by the Government of India—

(*a*) for any specified period, if the salary or salary and deputation allowance do not exceed Rs. 500 a month; and

(*b*) for not more than two years, if the salary or salary and deputation allowance exceed Rs. 500 a month.

80 The sanction of the Secretary of State, though not necessarily the previous sanction, is required to any temporary appointment or deputation in which the salary or salary and deputation allowance exceed Rs. 500 a month, and which is expected to last or does last for more than two years.

NOTE.—[In the case of temporary appointments or deputations connected with plague the limit of salary (including deputation allowance) in this Article is Rs. 1,000 a month]

81 An officer deputed on special duty may be allowed to draw the pay or salary which he is drawing at the time of his deputation, or which he would have drawn from time to time if he had not been so deputed; provided that an officer who while on deputation, is nominated to an appointment outside the regular line, shall not be admitted to the pay or salary of that appointment until he joins it. If the special duty involves a decided increase of work or responsibility in comparison with the duties of his regular appointment, or requires a change of station, the officer may, in addition, be allowed to draw a deputation allowance which may not, except in special cases and with the special sanction of the Government of India, exceed one-fifth of salary, or Rs 10 a day, whichever is less.

NOTE 1—[The following are instances of appointments considered to be outside the regular line for the purposes of this rule:—

Members of the Boards of Revenue and Financial Commissioners.
Judges of High Courts and Chief Courts and Judicial Commissioners.
Heads of Departments including Chief Conservators of Forests and Chief Engineers.
Secretariat appointments.
Agents to the Governor-General and Residents of the first class.]

NOTE 2—[Rules governing the appointment and allowances of Settlement Officers and Assistant Settlement Officers are contained in Appendix 4A.]

82. Deputation allowance does not include re-imbursement of cost of travelling, and an officer who draws deputation allowance is not thereby debarred from drawing any travelling allowance which would be admissible to him, if the duty on which he is deputed were treated as a new permanent appointment.

Private Secretary to a Lieutenant-Governor.

83. Only an officer already in the service of Government can be appointed to be a Private Secretary to a Lieutenant-Governor. The pay and staff pay of a Military officer appointed from Military employ are laid down in

the Army Regulations. A Military officer in Civil employ, a member of the Indian Civil Service or other officer appointed to be a Private Secretary from Civil employ, is, while so employed, entitled to a local allowance of Rs. 350 a month in addition to the salary to which he would, but for his appointment as Private Secretary, be entitled : Provided that (1) the officer's total emoluments (including the allowance of Rs 350) shall in no case exceed Rs. 1,250 a month *plus* exchange compensation allowance ; (2) no extra expenditure shall be caused to Government beyond the local allowance of Rs. 350 per mensem and the grade place, substantive or officiating, held by the officer on the establishment to which he is attached shall not be filled up, and (3) no Military officer in Civil employ, or member of the Indian Civil Service, may be employed as Private Secretary whose substantive appointment in the regular line is above the grade of a Joint Magistrate or Assistant Commissioner.

Famine Duty.

84. The following allowances in addition to salary are granted to an officer deputed to Famine work in a Presidency or Province other than that in which he is serving, besides the usual travelling allowances both to and from the scene of his labours and while there —

	Rs a month	
(i) To a Sub-Engineer in the P W Dept.	75	Besides the usual sub-divisional allowances permitted by the rules, and cost of one servant's journey to and from the famine districts.
To a Supervisor or an Overseer „ „	60	
To a Sub-Overseer „ „	25	
(ii) To a Military officer transferred from Regimental or purely Military duty to Famine work whether in or out of his own Presidency or Province—		The travelling allowances of a Military officer are the same as those admissible to a member of the Indian Civil Service
1. If the officer's service is more than five years	300	
2 If the officer's service is not more than five years	200	
(iii) To every other officer	Rs 5 a day.	Besides the cost of the journeys to and from the famine districts of his servants, and (if tents and horses are carried) the carriage of his tents and horses.

Deputation outside India.

84A. Ordinarily the sanction of the Secretary of State is required to any deputation to, or detention on, duty in a country outside India. In the case, however, of a deputation to, or detention in,—

(i) Ceylon or other British possessions in Asia, or

(ii) places situated on the Persian Gulf where there is a British Consul and the whole cost of the deputation is borne by the Indian Revenues,

for a period not exceeding six months, the sanction of the Government of India is sufficient.

NOTE 1 —[This Article applies to officers of Government in Foreign Service in India.]

NOTE 2.—[The period of the special duty runs from the date on which the officer makes over charge of his office in India to the date on which he resumes it, when the officer is deputed outside India and for the time occupied by the duty when the officer is detained outside India]

NOTE 3.—[Time spent on duty out of India is not an interruption of service for leave, but it does not without the special sanction of the Secretary of State count as service for leave]

85. An officer of Government, whether paid from General Revenues, a Local Fund, or in Foreign service, who is deputed to ... on special duty, is entitled to not more th... he would draw were he on duty in Indi...

... r. 107.

NOTE 1.—[When privilege leave is int... allowance admissible under this Article will b... of India for a period equal to that of the d... termination of the original period of priv... prevent the officer from drawing his deput... be issued to him before his embarkation for I...

... Article 85.

... under this Article, renumberin... 2, 3 and 4 respectively :—

NOTE 2.—[Notwithstanding Article 84 ... the cost is met from Provincial Revenues, a L... ...not include the pay or salary of ... is nominated while deputed to,

	s.	d.
For an Officer of the Inspector class	10	6 a day.
" " " Sergeant "	8	6 "
" " " Constable "	6	0 "

NOTE 3.—[The salary admissible under this Article is payable at the rate of 1s 6d. per rupee.]

Chapter V.—Acting Allowances—General Rules.

SECTION I.—DEFINITIONS AND LIMITATIONS.

No. 87.

Page 26. Article 86.

Delete the words " in a school, college, or other institution " *in the second and third lines of rule 1 under this Article.*

Insert the following as rule 2 under this Article :—

2. A local Government may also issue general orders authorising acti... appointments to be made in the place of any specified class of officers und... training.

(5th Edition—Reprint, No. 87, dated 3 3-16.)

... in Articles 91, 95,

Provisional Appointments.

89. If an officer is transferred to duty which is such that he retains no

Page 27. Article 89.

Insert the following Note under this Article :—

NOTE.—[A Local Government may delegate its powers under this Article to Heads of Departments in respect of officers whom they can appoint.]

(5th Edition—Reprint, No. 142, dated 14-9-10.)

...ionally" *for the word* "formerly" ... *line 2 of Note 2 under this Article.*

(5th Edition—Reprint, No. 83, dated 5-1-10.)

... manner and upon the same condition, be given to a substitute similarly

[illegible]

91. *An officer appointed to act in another office is not an absentee within the meaning of Article 90 unless the full pay of that office is available and he is appointed to it substantively pro tempore.*

[illegible]

meaning of Article 90, " part of the pay of his appointment ;" and that Article is not to be construed as conflicting with Article 214.

NOTE.—[The subsistence allowance of a member of the Indian Civil Service, a Statutory Civil Servant or a Military officer subject to the Civil Leave Rules, and the English furlough pay of a Military officer subject to the Military Leave Rules, are not, for the purposes of this rule, treated as a part of the pay of an absentee's appointment.]

... made under Article ... Leave Rules whose ... Rules but for the ... s of 1868

Charge Allowances.

94. An officer appointed to be in charge of the current duties of an office independently, *i.e.*, under orders which expressly relieve him of the charge of

NOTE 2.—[The period of the special duty runs from the date on which the officer makes over charge of his office in India to the date on which he resumes it, when the officer is deputed outside India and for the time occupied by the duty when the officer is detained outside India.]

NOTE 3.—[Time spent on duty out of India is not an interruption of service for leave, but it does not without the special sanction of the Secretary of State count as service for leave.]

85. An officer of Government whether paid from General Revenues o...

No. 107.

Page 26. Article 85.

Insert the following as Note 1 under this Article renumbering

No. 210.

Page 26. Article 85.

Substitute the following for the words "or on other similar business" *in lines 3-4 of Notes 3 under this Article as amended by Correction Slip No. 179, dated 5th February 1917 :—*

"*Or on any other business which is part of his duty as a police officer.*"

(5th Edition—Reprint, No. 210, dated 7-7-17.)

...power than Deputy Inspectors-General of Police or Commissioners of Police in the Presidency towns and Rangoon."

(5th Edition—Reprint, No. 179, dated 5-2-17.)

Page 26. Article 86.

Add the following at the end of Rule 1 under this Article :—

It may delegate its power under this rule to Heads of Departments.

(5th Edition—Reprint, No. 142, dated 14-8-16.)

...college, or other institution" *in the second and third lines of rule 1 under this Article.*

Insert the following as rule 2 under this Article :—

2. A local Government may also issue general orders authorising acting appointments to be made in the place of any specified class of officers under training.

(5th Edition—Reprint, No. 67, dated 3-2-16.)

... in Articles 94, 95,

Provisional Appointments.

89. If an officer is transferred to duty which is such that he retains no connection with his own appointment and which there is reason to believe will not terminate within three years, the Local Government may, if it thinks fit, suspend his lien upon his own appointment altogether, and fill up that

Page 27. *Article 89.*

Insert the following Note under this Article :—

NOTE —[A Local Government may delegate its powers under this Article to Heads of Departments in respect of officers whom they can appoint.]

(5th Edition—Reprint, No 142, dated 14-9-10.)

...ormally" *for the word* "formerly" ... *line 2 of Note 2 under this Article.*

(5th Edition—Reprint, No. 83, dated 6-1-10.)

higher appointment, his salary is reckoned upon his substantive pay proper and not upon the pay of the appointment he held substantively *pro tempore.*

91. An officer appointed to act in another office is not an absentee within the meaning of Article 90 unless the full pay of that office is available and he is appointed to it substantively *pro tempore.*

92. An absentee who receives absentee allowances draws, within the meaning of *Article 90,* "*part of the pay of his appointment*;" and that *Article* is not to be construed as conflicting with Article 214.

NOTE —[The subsistence allowance of a member of the Indian Civil Service, a Statutory Civil Servant or a Military officer subject to the Civil Leave Rules, and the English furlough pay of a Military officer subject to the Military Leave Rules, are not, for the purposes of this rule, treated as a part of the pay of an absentee's appointment]

93. A substantive *pro tempore* appointment may be made under Article 90 in the place of a Military officer subject to the Military Leave Rules whose appointment would be forfeited under Military Furlough Rules but for the operation of Rule II of the Military Furlough Regulations of 1868

Charge Allowances.

94. An officer appointed to be in charge of the current duties of an office independently, *i.e.,* under orders which expressly relieve him of the charge of

his own office, is entitled to a charge allowance of three-quarters of th acting allowance which would be admissible to him if he were appointed t officiate in the office. An officer cannot be thus appointed to be in charg of a "grade."

NOTE.—[The rules laid down in Articles 104 and 106 apply here also.]

95. The Local Government may, if it thinks fit, assign to the officer i charge allowance of less than the amount thus admissible, and, on the othe hand, if it thinks this amount too small, may grant him, for special recorded reasons, the full acting allowance, excepting that clauses (i) and (ii) of Article 105 shall not apply to such an officer. Charge allowance under this Article must never exceed what an officer would draw as acting allowance if appointed to officiate in the appointment.

NOTE.—[The rules laid down in Articles 104 and 106 apply here also.]

1. The Local Government may delegate its power under this Article to the Head of a Department or Commissioner of a Division.

SECTION II.—MAXIMUM AND MINIMUM SALARIES.

96. The maximum salary of an officiating officer is the pay of the appointment, and the minimum salary half the pay of the appointment.

97. Officers appointed, officiating or substantively, to the appointments specified in Appendix 4 are entitled to special minimum salaries as shown therein.

SECTION III.—PRIVILEGE LEAVE VACANCIES.

98 As a general rule, the duties of an officer absent on Privilege leave taken separately and not combin [illegible] shall be discharged by another officer in [illegible] tional cases where there is absol[illegible] transfer of an officer from another station or district to act in consequence of the absence of an officer on Privilege leave be allowed. In the case of [illegible]n Civil Service or a Commission, [illegible]on is not available on the spot, a [illegible] in charge of the vacant appointment.

99—103. *Cancelled.*

Chapter VI.—Acting Allowances—Rules for Calculation.

SECTION I.—INDIAN CIVIL SERVICE AND OTHER SPECIAL SERVICES.

104. The rules in this Section apply to the following Services :—

(1) The Indian Civil Service.

(b) And of a Military officer subject to the Military Leave Rules, as follows :—

				Rs.	
For an officer of the rank of Captain or Subaltern				250 a month	
"	"	"	of Major	320	"
"	"	higher rank than Major		400	"

SECTION II.—MILITARY OFFICERS.

109. The rules in this Section apply to Military officers serving in Civil Departments except those—

(i) In the Public Works, Railway and Telegraph Departments (see Section III).

(ii) In the Survey of India (see Section IV).

NOTE.— ...

110. A Military officer employed in the Army Secretariat of the Government of India, though drawing pay in the Civil Department, is not subject to these Regulations.

Appointments on Consolidated Pay.

111. An officer officiating in an appointment of which the pay is consolidated may be—

Case 1.—An officer without a substantive appointment.

Case 2.—An officer having a substantive appointment the pay of which is consolidated.

Case 3.—An officer having a substantive appointment the pay of which includes a Staff Salary.

... the assumption that it ... this Article, as if the

112. In *Case 1* the officer is entitled to his pay. If his pay is less than his ... allowance (see Article 108 (b)) added to half the pay of the app ... cting allowance ... e allowance added to half the pay of the appointment.

113. ... is regulated by Articles 105 and 106. ... Staff ... for the purposes of the Military Rules he may be considered to take with him to his officiating appointment only half the Staff Salary.

Appointments on Staff Salary.

114. An officer officiating in an appointment of which the pay includes a Staff Salary may be—

Case 1.—An officer without a substantive appointment.

Case 2.—An officer having a substantive appointment the pay of which is consolidated.

Case 3.—An officer having a substantive appointment the pay of which includes a Staff Salary.

115. In all cases the salaries are calculated as follows, any excess of the consolidated pay of the substantive appointment in *Case 2*, in Article 114, over the Military pay and allowances or the Indian Army pay of the officer being treated as a Staff Salary :—

(*a*) For an officer officiating for an absentee who is subject to the Rules of 1868, the Indian Army Leave Rules, or the Civil Leave Rules—

An officiating officer will draw half the Staff Salary of the appointment and half the Staff Salary of his substantive appointment (Civil or Military) if he have one in addition to the Indian Army pay or Military pay of rank. Provided that the whole Staff Salary thus drawn shall not be less than Rs 100 a month, unless the full Staff Salary of the post in which he is officiating is less than that sum. If the full Staff Salary is available, he may draw the whole of it, but in such case he can draw no portion of the Staff Salary of his substantive appointment.

NOTE.—[The proviso that the whole Staff Salary shall not be less than Rs 100 is limited by the rule that this minimum is allowed only to an officer acting in the actual appointment held by the absentee But this limitation does not apply to Medical officers officiating as Civil Surgeons.]

(*b*) For an officer officiating for an absentee who is subject to the rule of 1875—

The rules are those which apply to an officer officiating for an absentee under other Leave Rules, except that, as the Furlough allowance of an officer subject to the Rules of 1875 varies in the case of his transfer from one appointment to another during Furlough, the salary of the acting officer would likewise vary, while the Furlough allowance of an officer subject to other Leave Rules is unaffected by such transfer.

Medical Appointments.

116. As an exception to Articles 112 and 113 the allowances of a Commissioned Medical Officer, whether he is under Civil or Military Leave Rules, officiating in an appointment reserved exclusively for officers of that class, shall be regulated by Articles 114 and 115, on the assumption that the pay of the appointment includes a Staff Salary equal to the difference between the officiating officer's grade pay and the consolidated pay he would receive if he held the appointment substantively.

PART II.

SECTION III.—PUBLIC WORKS, RAILWAY AND INDIAN AND INDO-EUROPEAN TELEGRAPH DEPARTMENTS

117. (*a*) The rules in this Section apply to the Engineer establishment; Superior Railway Revenue establishments, and superior officers of the Indian and Indo-European Telegraph Departments

(*b*) They do not apply to cases of temporary promotion which is given when officers obtain Furlough, Leave on Medical Certificate, or Special leave with allowances. In such cases the officer temporarily promoted is entitled to the pay of the appointment

NOTE.—[For the purpose of Chapter I, Rule V of the Military Furlough Rules of 1868, the temporary promotion from one grade to another of an officer of the Royal Engineers employed in the Public Works or Railway Department is an acting appointment, and the grade to which the officer is permanently attached is his 'substantive office."]

118. The acting allowances of all other officers of the Public Works, Railway and Indian and Indo-European Telegraph Departments are regulated by the rules in Section VII.

General Rules.

119 (*a*) An officer of a class divided into grades cannot officiate in this class in a grade higher than that to which he is substantively appointed.

(*b*) An officer officiating in a rank which is divided into classes, or in a [illegible] st class or grade; but this rule [illegible] ppointment of which the sub-

120 An officer with a substantive appointment, officiating in a higher class or in another appointment, is entitled to an acting allowance, in addition to his pay, of one-fifth of the Civil pay of the class or appointment in which he officiates.

The Civil pay of a graded class is the average Civil pay of the grades (calculated without reference to the number of appointments in each grade); but the officiating officer's salary shall not exceed the pay of the lowest grade.

121. The acting allowance of a Civil officer or a Military officer subject to the Civil Leave Rules, without a substantive appointment, will be regulated in accordance with the rules in Article 141. A Military officer subject to the Military Leave Rules, without an appointment, is entitled to his pay and to such acting allowance as will make the total equal to the sum of the subsistence allowance [see Article 108 (*b*)] added to half the Civil pay of the class or appointment in which he officiates.

122. The net Military pay which an officer of the Royal Engineers serving in the Public Works or Railway Department on consolidated departmental pay receives in addition thereto, is not taken into account in calculating acting allowances. His Civil salary is fixed independently of his net Military pay, to which he is separately entitled over and above his Civil salary.

ments]

PART II.

123. When any officer who can be substantively appointed to the Engineer Branch of the Public Works or Railway Department, or the Superior Establishment of the Indian Telegraph Department, only under the rules and on the rates of pay prescribed for the Provincial Services, is appointed to officiate in, or hold charge of, an appointment graded in those Services, his acting or charge allowance will be calculated on the rates of pay prescribed for the Provincial Service and in accordance with the rules contained in these Regulations for the grant of such allowance.

No. 95.

Page 33. Article 124.

Substitute the following for clause (a) of this Article :—

To a subordinate officiating as an Executive Engineer, Rs. 100, provided it his salary must not exceed the minimum pay of an Executive Engineer of Provincial service.

(5th Edition—Reprint, No 95, dated 3-3 16)

involves duties and responsibilities which, in character or extent, are suc as are not usually imposed on subordinate officers.

(c) To an officer of the Subordinate Revenue Establishment of Stat Railways acting in an office ordinarily held by an officer of the Superior Revenu Establishment—Rs. 75, provided that the charge involves duties and ...

Page 33. Article 126.

Substitute the following for this Article :—

126. In the Indo-European Telegraph Department Signalling Clerks and others appointed to be Inspectors and Charge Clerks in place of officers proceeding on leave draw the full charge allowance admissible

(5th Edition—Reprint No 17, dated 7th May 1916)

127. The rules in this Section apply only to officers not below the rank of Assistant Superintendent of the Survey of India Department.

128. An officer of the Royal Engineers holding substantively an appointment not above the rank of Superintendent, second grade, is entitled to his net military pay; but he ceases to draw it while officiating in an appointment higher than Superintendent, second grade.

129. An officer officiating in the grade immediately above his own is ...

No. 64.

Pages 33—34. *Articles 127 to 132.*

Cancel these Articles and the heading "Section IV.—The Survey of India."

(6th Edition—Reprint, No 64, dated 4 10 15)

... appointment is entitled to an acting allowance of one-fifth of the pay of the appointment.

13[illegible] ... to an ... of the

SECTION V.—GEOLOGICAL SURVEY.

133. (*a*) A graded officer of the Geological Survey Department who joined the Department on or before the 31st December 1893, counts all service on the maximum pay of a grade towards increments in the pay or salary of the next higher grade. When promoted substantively, he may draw the pay of the higher grade with increments earned by service on the maximum pay of the lower grade; and when promoted temporarily, he may similarly draw a salary equal to the pay he would have received if his promotion were substantive.

(*b*) The pay on permanent promotion, and the salary on temporary promotion from grade to grade, of a graded officer of the Geological Survey Department who joined the Department after the 31st December 1893, are regulated by the ordinary rules in these Regulations.

SECTION VI.—THE FOREST DEPARTMENT.

134 The rules of this Section apply only to officers of the Forest Department not below the rank of Assistant Conservator.

135. A Deputy Conservator officiating as a Conservator is entitled to a salary equal to the pay of the lowest grade of Conservators.

136. A Conservator officiating in the grade immediately above his own is entitled to the pay of that grade; and a Conservator officiating as Chief Conservator, or a Conservator or Chief Conservator officiating as Inspector General, is entitled to the pay of the appointment.

137. An officiating officer in any case not provided for by the preceding Articles is entitled to an acting allowance of one-fifth of the pay of the grade in which he officiates.

SECTION VII.—OTHER OFFICERS.

138. The following rules are applicable to officers in Civil employ whose cases are not provided for in Sections I to VI of this Chapter, or by rules peculiar to the services concerned, such as—

(1) Lieutenant-Governors and Members of Council (see Chapter XXII).
(2) Judges of the High Courts (see Chapter XXIII).
(3) Ecclesiastical Officers (see Chapter XXVII).
(4) Law Officers (see Chapter XXXI).

139. An officer of the Provincial or Subordinate Educational Service appointed by the Local Government to officiate in a temporary vacancy in a post specifically reserved for, or usually filled by, officers of the Indian or Provincial Educational Service receives an allowance as follows :—

An officer of the Provincial Service acting in an appointment in the Indian Service, Rs. 100 a month.
An officer of the Subordinate Service acting in an appointment in the Indian Service, Rs. 75 a month.
An officer of the Subordinate Service acting in an appointment in the Provincial Service, Rs. 50 a month.

Provided that the salary of the officiating officer shall not exceed the pay of the officer for whom he acts, and shall not be less than his own pay. When the office is substantively vacant, the officiating officer may be granted the allowance in full.

139A. A member of the lower Subordinate Educational Service or an officer on salary, outside the grades, when officiating in temporary vacancies in the Subordinate Educational Service, is entitled to an acting allowance at the rate of one-fifth of the average pay of the grades of the latter service subject to the limit of the maximum salary laid down in Article 141.

No. 39.

Page 35. Article 140.

Insert the following after the word "Department" in the fifth line of this Article :—

"in the case of appointments in the First Division of the Superior Traffic Branch, Indian Telegraph Department."

(6th Edition—Reprint, No. 39, dated 1-7-15.)

(ii) If the substantive holder of the charge is a Civil Assistant Surgeon, or Rs.

No. 31.

Page 37. Article 142.

For the words "and Assam" in line 1 of the Note under this Article, read "Assam and Burma" and add the following as clause (c) to the Note :—

" (c) To a Civil or Military Assistant Surgeon in Burma."

(i) If the substantive holder of the charge is a Commissioned Medical Officer :—

	Rs.
To a Civil Assistant Surgeon of more than seven years' service, a Senior Military Assistant Surgeon or Military Assistant Surgeon, first class, a local allowance of	75

No. 96.

Article 143. Page 37.

Substitute the following for clause (a) of this Article :—

143-A.—Officers of the Indian Subordinate Medical Department above the grade of Military Assistant Surgeons, fourth class, when in independent [illegible] Civil stations receive pay at the following monthly

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ise

... the following as Note 1 under this Article :—

[NOTE 1.—The Local Government may delegate its powers under clause (b) of this Article to Heads of Departments in respect of non-gazetted officers under their control.]

Also re-number the existing notes as Notes 2 and 3, and add the words "or subordinate Heads of Departments" after the words "Local Governments" in the second line of the re-numbered ote 3.

2. The following are treated as distinct classes of officers for the purpose of this Article:—

(a) In Madras, the different grades of Munsiffs, Tahsildars, Deputy Tahsildars, Sub-Magistrates and Stationary Sub-Magistrates, Sub-Assistant Inspectors of Schools, and Police Inspectors, Sergeants and Constables.

(b) In the Civil Military Station of Bangalore, Police Officers of and above the rank of Head Constable.

(c) In Bombay, Police Sub-Inspectors, Head Constables and Constables.

3. A Section-writer, or a Press servant who is paid for piece-work, is, for the purposes of the rules in this Section, held to be an officer without a substantive appointment.

No. 40.

Page 36. Article 141.

Add the following at the end of the Note under this Article:—

"or to members of the clerical establishment of the Public Works Department appointed to officiate in executive appointments in that department, provided their remuneration does not exceed Rs. 600 a month."

(4th Edition—Reprint, No. 40, dated 1-7-15.)

NOTE.—[This Article does not apply to appointments in the Post Office Department; or in the Bombay Presidency to jailors, clerks in the office of the Inspector-General of Registration and Stamps, Inspectors and their clerks, Registrars' clerks or karkuns, and clerks ...

No. 114.

Page 36. Article 142.

Omit the words "and initial pay under Articles 155 ... ly" from the last line of this Article.

(4th Edition—Reprint, No. 114, dated 8th May 1916.)

In the last line of clause (b) (i) of the Note ... the words "or third or fourth" after the ...

(6th Edition—Reprint No. 18, dated 7th May 1918.)

is a ministerial appointment, *plus* three-fourths, of the difference between the minimum and the maximum.

NOTE.—[This Article does not fix the pay of a Progressive appointment, but only indicates the mode of rating the value of such an appointment for financial purposes.]

Accrual of Increment.

151. An increment accrues from the day following that on which it is earned.

Exception.—An officer appointed in England by the Secretary of State for service in India receives the increment in his pay in accordance with the terms of his engagement.

152. A periodical increment should not be granted to an officer serving on Progressive pay as a matter of course, or unless his conduct has been good. When an increment is withheld, the period for which it is withheld is at the

Page 39. Article 153 (b).

Substitute the following for this Article :—

(*b*). The powers of the Government of India, of Local Governments and of subordinate authorities to grant a premature increment to an officer are subject to the limits up to which each such authority can raise the officer's remuneration.

(5th Edition—Reprint, No 142, dated 14-8 16)

such that the addition of a premature increment would raise it above Rs. 9,600 a year, such premature increment cannot be granted without the sanction of the Secretary of State.

154. An officer reduced to a lower grade or appointment on account of misconduct or inefficiency cannot, without the sanction of the authority by whom he is reinstated or promoted, count for increments previous service in the grade or appointment from which he was reduced.

Acting Allowances.

155. In the case of progressive appointments, acting allowances are fixed as follows :—

(*a*) An officer whose substantive pay is progressive, and who acts in an office of which the pay is fixed. In this case the officer's acting allowance is calculated as if his substantive pay were a fixed one, equal to the amount at which from time to time it stands.

(*b*) An officer whose substantive pay is fixed, and who acts in an office of which the pay is progressive. In this case the officer's acting allowance is calculated upon the pay to which he would from time to time have risen if he had held the officiating appointment substantively.

PART II.

Appointments on less than Rs. 100.

147. The salary of an officer officiating in an appointment of which the pay is less than Rs. 100 should, as far as practicable, be regulated by Articles 140 and 144. The following conditions must be observed :—

(i) If t' [illegible]

(ii) If h [illegible]

the appointment is progressive, the minimum pay of the appointment, as he considers necessary.

(iii) If the vacancy is caused by the absence on leave of an officer whose pay is less than Rs 100, the absentee allowance of such *officer must not exceed the difference between his pay and the sum of the acting allowances paid in consequence of his absence,* except when, in the resultant acting arrangements, an officer who h[illegible] 'han half the pa[illegible] hich case the ex[illegible] discretion of the [illegible] calculating the [illegible] absentee and the acting allowances paid in consequence of his absence.

1 The Local Government may delegate its power under this clause to Heads of Offices and Departments.

148. The third of the conditions above mentioned is not enforced in the case of—

(i) Officers in Superior service on privilege leave.
(ii) Officers on hospital leave under Chapter XII, Articles 287 to 294.
(iii) Naib Tahsildars in the United Provinces—see Rule 3 under Article 335.
(iv) Female warders or matrons employed in Jails.

Chapter VII.—Regulation of Progressive Salaries.

149. Except under special orders to the contrary, a Progressive pay shall not rise from the minimum to the maximum by less than five equal yearly increments.

Calculation of Value.

150. A Progressive pay is, on an average, equivalent to a fixed pay, the amount of which lies between the minimum and maximum of the Progressive pay. The exact amount of this equivalent varies according to the conditions of each appointment ; but in practice, it is assumed that a Progressive pay rising to its maximum by five equal yearly increments, is equivalent to a fixed pay equal to the minimum *plus* two thirds, or if the appointment

is a ministerial appointment, *plus* three-fourths, of the difference between the minimum and the maximum.

NOTE.—[This Article does not fix the pay of a Progressive appointment, but only indicates the mode of rating the value of such an appointment for financial purposes.]

Accrual of Increment.

151. An increment accrues from the day following that on which it is earned.

Exception.—An officer appointed in England by the Secretary of State for service in India receives the increment in his pay in accordance with the terms of his engagement.

152. A periodical increment should not be granted to an officer serving on Progressive pay as a matter of course, or unless his conduct has been good. When an increment is withheld, the period for which it is withheld is at the

Page 39. Article 153 (b).

Substitute the following for this Article :—

(*b*). The powers of the Government of India, of Local Governments and of subordinate authorities to grant a premature increment to an officer are subject to the limits up to which each such authority can raise the officer's remuneration.

(5th Edition—Reprint, No 112, dated 14-8-16.)

such that the addition of a premature increment would raise it above Rs. 9,600 a year, such premature increment cannot be granted without the sanction of the Secretary of State.

154. An officer reduced to a lower grade or appointment on account of misconduct or inefficiency cannot, without the sanction of the authority by whom he is reinstated or promoted, count for increments previous service in the grade or appointment from which he was reduced.

Acting Allowances.

155. In the case of progressive appointments, acting allowances are fixed as follows :—

(*a*) An officer whose substantive pay is progressive, and who acts in an office of which the pay is fixed. In this case the officer's acting allowance is calculated as if his substantive pay were a fixed one, equal to the amount at which from time to time it stands.

(*b*) An officer whose substantive pay is fixed, and who acts in an office of which the pay is progressive. In this case the officer's acting allowance is calculated upon the pay to which he would from time to time have risen if he had held the officiating appointment substantively.

(c) *An officer* whose substantive pay is progressive, and who acts in an office of which the pay is progressive. In this case the officer draws—

(i) His substantive pay, with the increments thereof as they fall due;

(ii) The acting allowance which he would have drawn if the substantive and officiating appointments were both on fixed pay equal to the minimum: Provided that the maximum limit of salary is not the said minimum pay of the officiating appointments, but the pay to which the officer would have risen if his officiating tenure had been substantive.

[illegible] calculating the salary of an officer who acts in an appointment, the whole [illegible] f an appointment [illegible] 200—8—240. His [illegible]

	Rs.	
Pay	170	But this is limited for the first year to Rs. 200.
Acting allowance (one fifth of Rs. 200)	40	
Total	210	

Next year he gets pay Rs. 180 + acting allowance Rs. 40 = total Rs. 220. But this is limited for a year to Rs. 208.

Example (b) A member of the Indian Civil Service, substantively in the Rs. 1,200 stage of an appointment of which the pay is Rs. 1,000—50—1,250, acts in an appointment of Rs. 1,500—50—1,750. His initial salary is—

	Rs.	
Pay	1,200	Limited for the first year to Rs. 1,500.
Acting allowance (⅔ Rs. 1,500—1,000)	333⅓	
Total	1,533⅓	

In future years he receives—

Second year—	Rs.	
Pay	1,250	Limited to Rs. 1,550.
Acting allowance	333⅓	
Total	1,583⅓	

Thereafter he gets Rs. 1,583⅓, which is the limit of salary in this case.

Initial Pay.

156. An officer who is appointed substantively to an appointment on progressive pay begins with the minimum pay of the appointment:—

(a) If prior to his appointment he holds no substantive appointment under Government, or

(b) If he is transferred thereto from an appointment in which he is drawing pay not in excess of the minimum pay of the new appointment, and if he has not already officiated in the latter.

157. If the officer is transferred to the new appointment from an appointment in which he was drawing pay not in excess of the minimum of the new appointment, but has officiated already therein, his pay is fixed as follows:—

(a) If the salary which he drew when last officiating is equal to one of the stages of the pay of the appointment, his pay shall be fixed

at that stage, and he shall count in that stage the time during which he has been drawing the said salary.

(b) If the salary which he drew when last officiating is intermediate between two stages, his pay shall be fixed at that amount for half the period during which an increment is earned, on the expiry of which he shall be eligible for the next higher stage of the progressive pay

Example.—An officer is on 20th June substantively appointed to an appointment of which the pay is Rs. 200—10—250, and in which he is already officiating—

(a) If his salary at the time of his appointment and from 1st March last has been Rs. 220, he continues to draw Rs. 220 and on 1st March next rises to Rs 230.

(b) If his salary at the time of appointment is Rs 225, he will draw Rs. 225, till the 20th December next, and then rise to Rs 230.

NOTE —[Any period for which an officer has held the progressive appointment as substantive *pro tempore* may be counted as officiating service for the purposes of this Article]

157A. If the officer is transferred to the new appointment from an appointment in which he was drawing pay in excess of the minimum, then whether he has officiated in the appointment already or not, his pay is fixed as follows :—

(a) If his pay immediately prior to the transfer is equal to any stage of the new appointment, he shall draw the pay of that stage; and after the expiry of the period during which an increment is earned he shall draw the pay of the next higher stage, and so on.

(b) If his pay immediately prior to the transfer is intermediate between any two stages of the new appointment, he shall draw the pay of the next lower stage, *plus* a personal allowance equal to the difference between the pay of that stage and his former pay; and after the expiry of the period in which an increment is earned he shall draw the pay of the next higher stage (losing the personal allowance) and so on.

157B. (a) When, however, the conditions of an officer's service are such that he is liable to be transferred in the same department between appointments of which the pay and increments are identical, his service will, in the case of such a transfer, count for increments as if he had not been transferred

(b) The authority which orders the transfer of an officer, as a penalty, from a higher to a lower appointment, may allow him to draw any salary, not exceeding the maximum of the lower appointment, as it may think proper.

158. The incumbent of an appointment the pay of which is changed shall be treated as if he were transferred to a new appointment on the new pay : Provided that, if he prefers to retain his old pay, the Local Government or, in the case of a ministerial or menial officer, the Head of the Office may allow him to do so postponing the change of the pay of the appointment till he vacates office

Time spent on Leave and under Suspension.

159. Time spent on leave with allowances counts towards increments in the same manner as if during it the officer had actually held or officiated in (as the case may be) the appointment on which he has a lien.

NOTE.—[The last sentence of Article 31 must not be held to conflict with this Article Subject always to the provisions of Article 60, the phrase "the appoint[illegible] lien" means the appointment [illegible]

[illegible] *160-A.*

[illegible] college, or other institution"

[illegible] *Article.*

[illegible] *this Article:—*

[illegible] orders under this Article in regard to any

[illegible] service

[illegible]

Officers on a Time-scale of Pay.

160B. (*a*) Leave without allowances taken by an officer prior to his admission to a time-scale of pay, and overstayals of privilege leave to the extent of one week in similar circumstances, count for increments under the *time-scale.*

(*b*) *Leave without allowances taken by an officer while he is* on a time-scale of pay, or overstayals of privilege leave, do not count towards increments; but Local Governments and Departments of the Government of India which have the powers of Local Governments, may exempt an officer from the operation of the rule, on proof being furnished to them that the leave was taken on account of illness or other cause beyond the officer's control.

Chapter VIII.—Combination of Appointments and Salaries.

Charge of Current Duties.

161. An officer appointed to be in charge of the current duties of an office in addition to his own duties, may, if the charge, in the opinion of the Local Government, entails a *substantial increase of responsibility* and some additional work, be granted a charge allowance—to be fixed by the Local Government, not exceeding one-tenth of the pay of the office. If the office is open to, and may in practice be held by, a member of the Indian Civil Serv[illegible] or a Military officer, the allowance shall not be less than Rs. 100.

162. The *salary of an officer appointed to* be in charge of the cur[illegible] duties of an additional office shall never exceed the salary which he w[illegible] receive for officiating in the office: one effect of this rule is that, unless Local Government makes the declaration indicated in Rule 2 under Ar[illegible]

168, an officer is not entitled to any allowance for taking charge of an office the pay of which is not more than that of his own substantive office.

163. The amount of "charge allowance" has been fixed in the cases shown in Appendix 6.

164. (a) No allowance is admissible under Article 161 unless the incumbent has actually given ov... of the office under the orders of competent authority, and is absent ... For instance, no allowance is ... red to dispose of routine business while his superior is on tour.

(b) But in the Northern India Salt Revenue Department, charge allowance is granted to an officer placed in charge of the current duties of an Assistant Commissioner's office during the absence of the incumbent on tour.

165. No allowance is admissible to a member of the Indian Civil Service, or to any officer holding an appointment ordinarily held by a member of that service, or to a Superintendent of a Central Jail for the executive charge, either permanently or temporarily, of a District Jail. Any other ... Government, if ... Local Allow-

150 a month.
100 "
75 "
50 "

... an office is not ... cept under the ... 0.)

NOTE —[The Local Government may delegate its power under this Article to the Head of a Department or Commissioner of a Division]

Permanent Arrangements.

... may appoint an officer to hold permanently

Page 43. Article 167.

Substitute the following for the first sentence of this Article :—

"A Local Government may appoint an officer to hold permanently two or more appointments at the same time if the aggregate remuneration does not exceed the maximum limit up to which it can increase an officer's remu-

ticle to a Head of

(ii) For the other appointment or appointments, he draws such allowances as the Local Government may fix, not exceeding for each appointment half the salary which he would draw if he held or, as the case may be, officiated in it alone:

(iii) Provided that his aggregate salary shall not exceed the pay which he would draw in the most highly paid of the appointments, if he held it substantively and alone.

1. The Local Government may delegate its power under this Article to the Head of a

	Rs.
If he held *A* only, he would draw	1,000
If he officiated in *B* only, he would draw pay Rs. 1,000 and acting allowance Rs 400	1,400
If he officiated in *C* only, he would draw pay Rs. 1,000 and acting allowance Rs. 800	1,800
He will therefore draw for *C* (which carries the highest salary) . .	1,800

And, but for proviso (iii), he would be entitled for *B* and *A* to such allowances as the Local Government may fix, not exceeding Rs. $\frac{1400}{2}$ 700 for *B*, and $\frac{1000}{2}$ 500 for *A*.

office]

Appointments on the same Establishment.

169. Article 168 does not apply to the case of an officer discharging the duties of more than one appointment in the same office, or on the same establishment An officer so employed is entitled to the highest salary to which he would be entitled if he held or officiated in any of the appointments alone, and to nothing more.

Examples—An Under-Secretary discharging the duties of a fellow Under-Secretary in

as his own.

A subordinate doing the duties of another subordinate in the same office.

Local Allowances to be drawn by an officer holding combined appointments.

169A. An officer holding under the provisions of Articles 168 and 169 two or more independent appointments to all or any of which a local allowance is attached will ordinarily draw as local allowance a sum not exceeding the highest local allowance attached to any one of the appointments; but the Local Government may, for special reasons, allow him to draw a local allowance not exceeding the sum of the allowances attached to the different appointments held by him.

Civil Surgeoncy.

170. A Regimental Medical Officer appointed to act as Civil Surgeon without relinquishing his Regimental duties is entitled to an allowance of Rs. 100 a month. With this exception, the allowances for the additional charge of an appointment of the kind described in Article 116, whether the charge is held by a Regimental Medical officer or a Commissioned Medical officer already employed in the Civil Department, are regulated by Military Rules, the pay of the appointment being calculated on the principle indicated in that Article.

'han one acting appoint-
Rules of calculation, but
in Article 168 and in

171. An officer in medical charge of a Civil station is entitled to an allowance of Rs. 100 a month for holding visiting charge of a second station.

NOTE.—[In Bengal the allowance may be Rs 50 or Rs 100 as the Local Government may fix.]

Medical Charge of Jails.

172. An officer appointed to the medical charge of a Central Jail when the administrative and medical charges are not united, is entitled to a local allowance of Rs. 100, or, in special cases at the discretion of the Local Government, Rs. 150 ·

Provided always that the aggregate cost for the administrative and medical charges shall not exceed the total pay payable for the combination of the two charges in one person.

Agricultural Appointments.

172A. When a post specially reserved for, or usually filled by, an officer of the Indian Agricultural Service is vacant, the Local Government may appoint an officer of the Agricultural Service other than an Indian Agricultural Service officer, either (*a*) to officiate in the post or (*b*) to hold charge of its current duties in addition to his own, and may in such cases grant (*a*) such allowance, not exceeding Rs 100 a month, as it may by general or special order determine, or (*b*) an allowance, not exceeding Rs. 50 a month, under Article 161.

Veterinary Appointments

172B. When a post specially reserved for, or usually filled by, an officer of the Imperial Civil Veterinary Service is vacant, the Local Government may appoint an officer of the Civil Veterinary Service other than an Imperial Civil Veterinary Service officer, either (*a*) to officiate in the post, or (*b*) to hold charge of its current duties in addition to his own, and may in such cases grant (*a*) such allowance not exceeding Rs. 100 a month as it may by general or special order determine, or (*b*) an allowance not exceeding Rs. 50 a month under Article 161.

(ii) For the other appointment or appointments, he draws such allowances as the Local Government may fix, not exceeding for each appointment half the salary which he would draw if he held or, as the case may be, *officiated in it alone* :

(iii) Provided that his aggregate salary shall not exceed the pay which he would draw in the most highly paid of the appointments, if he held it substantively and alone.

1. The Local Government may delegate its power under this Article to the Head of a [illegible]

[illegible]

A, of which the pay is Rs. 1,000 is appointed, without being relieved of his own duties, to officiate in two appointments, *B*, of which the pay is Rs. 1,600, and *C*, of which the pay is Rs 2,200—

	Rs.
If he held *A* only, he would draw	1,000
If he officiated in *B* only, he would draw pay Rs. 1,000 and acting allowance Rs 400	1,400
If he officiated in *C* only, he would draw pay Rs. 1,000 and acting allowance Rs 800	1,800
He will therefore draw for *C* (which carries the highest salary) . .	1,800

And, but for proviso (iii), he would be entitled for *B* and *A* to such allowances as the *Local Government may fix, not exceeding Rs* $\frac{1400}{2}$ *700 for B, and* $\frac{1000}{2}$ *500 for A.*

[illegible]

office.]

Appointments on the same Establishment.

169. Article 168 does not apply to the case of an officer discharging the duties of more than one appointment in the same office, or on the same establishment. An officer so employed is entitled to the highest salary to which he would be entitled if he held or officiated in any of the appointments alone, and to nothing more.

Examples—An Under-Secretary discharging the duties of a fellow Under-Secretary in the same office or department as well as his own

A Joint Magistrate appointed, in addition to his own duties, to officiate as Magistrate of *the District. In this case he gets allowances only as Officiating Magistrate*

A District Judge deprived of the help of an Additional or Assistant Judge, and therefore doing the Additional or Assistant Judge's work.

A Joint Magistrate doing the work of a second Joint Magistrate in the District as well as his own.

A subordinate doing the duties of another subordinate in the same office.

Local Allowances to be drawn by an officer holding combined appointments.

169A. An officer holding under the provisions of Articles 168 and 169 two or more independent appointments to all or any of which a local allowance is attached will ordinarily draw as local allowance a sum not exceeding the highest local allowance attached to any one of the appointments ; but the Local Government may, for special reasons, allow him to draw a local allowance not exceeding the sum of the allowances attached to the different appointments held by him.

cer is authorised under Article 53 to make over charge
re than at its head-quarters, any joining time to which
hall be reckoned from the place at which he actually

Extensions.

Government may in any case extend the joining
time admis- provided the general spirit of the rules is observed.

(*b*) With maximum of thirty days, Heads of Departments and Commissioners Divisions, in the case of officers of Provincial Services and non-gazetted subordinates under their control, may extend the joining time admissible by rule—

(i) if the officer has been unable to avail himself of the usual mode of travelling, or if, notwithstanding due diligence on his part, the journey has occupied more time than is allowed by the rules—to the extent

Heads of Departments
respect of non-gazetted

—Reprint, No 142, dated 14-8-16.)

1. The Audit Officer shall move the Local Government to report to the Government of India any concession made under the preceding Article, which appears to him contrary to the spirit of the rules. The Local Government may not, finally, overrule the Audit Officer without a reference to the Governor General in Council.

When Leave intervenes.

182. When an officer, after giving over charge of his office at one station on transfer, or reversion to another office, takes Privilege or Examination leave before joining the office to which he has been transferred, or to which he has reverted, or when an officer, while on Privilege or Examination leave, is transferred to a station other than that from which he took leave, he is entitled to Joining Time in addition to his Privilege or Examination leave. The Joining Time of an officer transferred during Privilege or Examination leave will be counted from his old station, or from the place where he receives the order of transfer, whichever calculation would him to the less Joining Time.

itment to another,
out Privilege leave
the Joining Time
thest place to which

Appointment Changed.

184. The Joining Time of an officer whose appointment is chan... *he is in transit from one appointment to anoth...* that on which he receives h...

Article 185.

... this Article:—

... His Majesty's Governm...
... Regulations apply
... date of debarkation
... at the rate last dr...

province or locality, and t... same district, province or l... joining time. Provided th... or parts of the local area, he r...

186. When, under Artic... nation leave and Joining Ti... is to say for the period, not ... in excess of his Privilege or ... from duty,—must be calculat... ance would have been calcul... ...en he transferred directly.

187. If a member of th... ...ervice, on first arrival in Indi... is unable, from illness, to pro... ...to the seat of the Government to whic... he is attached or to any other station to which he is ordered to proceed direc... the Local Government in whose jurisdiction he is, may, on medical certi... ficate, grant him a subsistence allowance of Rs. 250 a month for not mor... than two months. Time thus spent is not Active Service.

188. An officer who is not in the Indian Civil Service or in the Army and who has ... any allowanc... during Joinin... office is trans... ferred to anot... the officer wh... orders the transfer may allow him to draw, during his transit, the allowanc... to which he would be entitled under the first sentence of Article 185.

Exceeding Joining Time.

189. An officer who does not join his new appointment within his Join... ing Time is entitled to no allowances after the end of his Joining Time, and after a week ceases to have a lien on any appointment. But if the authority

making the appointment considers that his default was due to circumstances beyond his control, it may exempt him from the loss of his appointment.

NOTE.—[The expression "allowances" in this Article does not include travelling allowance.]

Ministerial Officers.

190. The rules in this Chapter apply to a Ministerial officer who with the consent of the head of his office, or under the orders of competent authority, is transferred to service in another office on grounds of public convenience only, and not at his own request, for his own advantage, or in consequence of any fault on his part.

Chapter X.—Officers Dismissed, Suspended, or Imprisoned.

Members of the Indian Civil Service and Military Officers.

191. A member of the Indian Civil Service is entitled when under suspension to the subsistence allowance of his rank, and a Military officer in Civil employ to the pay and allowances of his rank.

Other Officers.

192. Saving as provided in Article 193 (*b*), an officer under suspension is entitled to no salary while he is absent from duty, and the salary of an officer who is dismissed ceases absolutely from the date of his dismissal; no allowances may be granted for any period occupied in the prosecution of appeals against the order of dismissal.

193 [illegible]

than Rs. 25 a month . if his salary be less than Rs. 100 a month, the rate may be increased accordingly An officer of the Marine Department, whose duties are not confined to the shore, will draw, in addition to the subsistence allowance, rations, or, when rations are not issued, compensation in lieu thereof.

(*b*) If the suspension of an officer as a penalty for misconduct is, upon reconsideration or appeal, held to have been unjustifiable or not wholly justifiable, or if an officer dismissed from office or suspended pending enquiry into his alleged misconduct is, upon reconsideration or appeal, reinstated, then the revising or appellate authority may grant to the officer for the period of his absence from duty—

(i) If the officer is honourably acquitted, an allowance equal to the full salary to which he would have been entitled if he had continued to hold the appointment from which he was dismissed and also, by an order to be separately recorded, any conveyance or local or other allowance of which he may have been in receipt prior to his suspension or dismissal.

(ii) Otherwise, an allowance equal to such proportion of the full salary and other allowances as aforesaid, as the revising or appellate authority may deem expedient.

(c) No extra cost may ordinarily be imposed on the State by the grant of an allowance under either clause (a) or clause (b) without the permission of the Local Government. In cases however where it does not exceed Rs. 500 and where the period during which the officer has remained unemployed through suspension or dismissal does not exceed six months, the excess expenditure may be admitted on the sanction of the authority mentioned in clause (a) or in clause (b) as the case may be.

NOTE.—[The subsistence allowance referred to in clause (a) is authorised as a matter of grace only, and cannot be claimed as of right.]

193A. The preceding Article applies also to officers in temporary employ, but in deciding whether an allowance should be granted to such officers, the period for which the temporary appointment has been sanctioned should be taken into consideration.

Committals to Prison.

194. A servant of Government committed to prison either for debt or on a criminal charge, should be considered as under suspension from the date of his arrest, and not allowed to draw any pay until the termination of the proceedings against him, when an adjustment of his allowances should be made according to the circumstances of the case, the full amount being given only in the event of the officer being acquitted of blame or (if the imprisonment was for debt), of its being proved that the officer's liability arose from circumstances beyond his control.

Leave while under Suspension.

195. Leave of absence for a definite period is not admissible to an officer who has been suspended from duty If permission to proceed to England is granted in such a case, it should only be for such period as the Secretary of State may determine.

PART III.—LEAVE RULES.

GENERAL ARRANGEMENT.

PART III.—LEAVE RULES.

Chapter XI.—General Conditions of Leave.

SECTION I.—GENERAL RULES.

196. The rules in this Chapter apply to all officers in Civil employ except in as far as they are inconsistent with, or overridden by, the special conditions of leave which obtain in the case of the following classes of officers :—

(a) Lieutenant-Governors and Members of Council (see Chapter XXII).
(b) *Judges of the High Courts (see Chapter XXIII).*
(c) Barristers and Pleaders holding the appointments specified in Article 547 (see Chapter XXIV).
(d) Statutory Civil Servants (see Chapter XXVI)
(e) Ecclesiastical Officers (see Chapter XXVII).
(f) Officers subject to the Military Leave Rules (see Chapter XXVIII).
(g) Army Veterinary Officers of the Civil Veterinary Department (see Chapter XXIX).
(h) Law Officers (see Chapter XXXI)
(i) *State Railway Establishments (see Chapter XXXII).*
(j) Bengal Covenanted Pilot Service (see Chapter XXXIII)
(k) Port Blair Police (see Chapter XXXIV)

No. 97.

Page 53. Article 196.

Insert the following after the word "leave," *in the second line of Rule 1 under this Article :—*

"other than privilege leave and leave on medical certificate (regarding which see Note below)".

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... in which the engagement is not terminated, leave may be granted for a period not exceeding six months and on allowances not exceeding half pay.]

Discretion of Government.

197. (a) Leave of absence cannot be claimed as of right. Nothing in these Regulations must be understood to limit the free discretion of the Government to refuse, or revoke, leave of absence of any description, at any time according to the exigencies of the public service.

(*b*) The Local Government may refuse to grant the full amount of leave applied for in any case, and should, by the exercise of this power, so regulate the date of an officer's return from leave as to cause as little change as *possible in administrative arrangements.*

(*c*) This Article gives Loca Governments ample powers for regulating leave of every description, and in dealing with applications for leave the following instructions should be carefully borne in mind :—

1.—*Extract from Circular in the Home Department, No 22 (Public), dated 16th May 1884.*—"The Secretary of State has now decided that the Civil Furlough Rules, as they stand, appear to make sufficient provision against their frequent or general abuse, and that any present formal modification of those rules is therefore unnecessary Officers at home on medical leave will not be permitted to return to duty without a medical certificate of fitness for duty in India. At the same time, His Lordship expresses his readiness to reconsider the subject should further

When an officer applies for repeated grants of medical leave within short intervals, the attention of the Medical Board should be drawn to his case with a view to their carefully considering the term of absence necessary for his complete recovery.

* * * * * * * *

2—*Home Department No 513 (Public), dated 16th April 1883*—"Two Military officers having applied for ordinary furlough within a short period after their transfer to employment in the Civil Department,—namely, before they had completed one year's service in that Department,—the Local Government concerned felt itself justified under the terms in *clause*

Maximum Leave Admissible.

198. After five years' continuous absence, whether with or without leave, an officer is considered to be out of Government employ. But this rule may, on public grounds and with the sanction of the Secretary of State in Council, be relaxed in the case of any Civil officer other than a member of the Indian Civil Service.

NOTE —[This Article does not apply to officers transferred to Foreign Service in India]

Recall from Leave.

199. An officer recalled to duty before the expiry of leave of any kind is entitled, if the return to duty is optional, to no concession save the exception in Article 233 (iv). If the return to duty is compulsory he is entitled—

(*a*) to take the balance of his leave, together with any leave which was admissible at the time of recall, or for which he

has subsequently become eligible, as soon as he can be spared from duty; and

(b) if the leave from which he is recalled is out of India—

(i) to the concessions in Articles 8 (iii) and 1127 subject to the conditions and limitations specified therein; and

(ii) to leave allowances during the voyage to India; and for the period from the date of landing in India to the date of joining his appointment, to the subsidiary leave allowance which he would have drawn had he not been recalled, but simply returned on the termination of his leave.

(c) If the leave from which he is recalled is in India,—

(i) to the concessions in Article 1127 subject to the conditions and

No. 157.

Page. 55. Article 199.

Insert the following as Note 2 to this Article, numbering the existing Note as Note 1:—

NOTE 2.—[The concession allowed by clause (a) ... grant of any leave subsequent ... exceeding six weeks If how...

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he is employed, ...

or in any place out of India not mentioned in clause (i); provided that when the officer is non-gazetted and is resident in India, the special permission of the officer empowered to appoint him is sufficient authority for the acceptance of such employment.

NOTE.—[This Article does not apply to the acceptance of fees for literary work or for service as an examiner or to similar employment Nor does it apply to acceptance of foreign service during leave, which is governed by Article 761 of these Regulations]

SECTION II.—SERVICE QUALIFYING FOR LEAVE.

Temporary Service.

201. Temporary and officiating service, if it counts for pension, counts also for leave.

NOTE—[The rules providing for the grant of leave to an officer who has a temporary officiating appointment only are contained in Articles 242, 336, Rule 1, and 339, Rule 2.]

Probationers and Apprentices.

202. (a) An officer appointed as probationer for a certain period before formal appointment is entitled to the same leave as if he held a substantive appointment.

1. Officers appointed under contract in England on probation in view to permanent service in India are entitled to leave as follows :—

[(i) Officers appointed for three years or more (see Appendix No. 33), the same leave as if they held permanent appointments.

(ii) Officers appointed for less than three years (see Appendix No. 33), privilege leave and if necessary, leave on medical certificate, not more than six months of such leave carrying allowances.

NOTE 1.—[Officers appointed in England to posts created temporarily but with the prospect more or less definite, of their being eventually made permanent, are entitled to leave under clause (i) of this rule, if they are otherwise qualified.]

NOTE 2.—[Leave on medical certificate under clause (i) or (ii) shall not be granted for a period extending beyond the term of an officer's contract unless or until it has been decided to retain him in permanent employment.]

NOTE 3.—[The Government of India have the power to revise Appendix 33 without reference to the Secretary of State.]

(b) Police probationers and temporary and officiating Assistant Superintendents of Police in all Provinces count their service as follows :—

(1) If recruited in England—from the date on which they report their arrival in India.

(2) If recruited in India under the orders in the Secretary of State's despatch No. 14, dated the 15th March 1894—from the date of assuming charge of their appointments.

(3) If recruited in India before the date of the orders of 1894 mentioned in (2) above—from the date either of attaining the age of 20 years or of assuming charge of their appointments, whichever is later, provided that the service has been continuous.

(c) The service of—

(1) Probationary, officiating and temporary Deputy Magistrate-Collectors and Sub-Deputy Collectors and sub. *pro tempore* Sub-Deputy Collectors in Bengal, Bihar and Orissa and Assam,

(2) Probationary, officiating and temporary Deputy Collectors in the United Provinces,

(3) Probationary, officiating and temporary Extra Assistant Commissioners in the Punjab and Assam, and

(4) Officiating and temporary Extra Assistant Commissioners in the Central Provinces,

counts for leave from the date on which all the three following conditions are fulfilled, namely,

(a) two years' continuous probationary or officiating service as such has been rendered,

(b) departmental examinations have been fully passed, and

(c) the age of twenty years has been attained.

NOTE 1.—[The above conditions do not ...
lectors ...

No. 87.

Page 57. Article 203-A.

Substitute "an" *for* "a" *before* "subordinate" *in line 2 of this Article, and delete the words* "subordinate" *and* "at a school, college, or other institution" *in the second and third lines of this Article.*

Insert the following Note under this Article :—

NOTE —A local Government may issue general orders under this Article in regard to any specified class of officers under training

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... in the follow-

Engineer or Examiner Apprentices,) in the Public Works or Railway Depart-

The service of candidates in the Superior Revenue Establishment of State Railways counts towards leave after they are confirmed in their appointments.

(*b*) Apprentice Overseers in the Public Works or Railway Department and Apprentice Permanent-way Inspectors on State Railways may be allowed leave on medical certificate on half pay subject, in the case of Military Apprentices to the proviso that the leave allowance shall not be less than Military pay and allowances. An apprentice of either class counts his service as such for leave if on the termination of his apprenticeship he is appointed to the

Page 57. Article 203 A.

Insert the following as Note 1 under this Article, the Note inserted by correction slip No. 87, dated 3rd February 1916, being numbered 2 :—

NOTE 1 —[The Local Government may delegate its power under this Article to Heads of Departments in respect of officers serving under them.]

(5th Edition—Reprint, No 142, dated 14 8 16)

entitled to Long Leave under them ...
to which they do not apply. But service in the Army which under Article 356 counts towards Civil pension qualifies also for leave under Civil rules. Any leave taken by an officer during such service will in the calculation of future leave be treated as if it had been taken under these Regulations.

Service before Discharge, Resignation, or Dismissal.

205. (*a*) An officer who is discharged on reduction of establishment from, or resigns, the public service and is re-employed after an interval, cannot, without the permission of the authority sanctioning the re-employment, count his former service towards leave.

(*b*) An officer who is dismissed or removed from the public service and who is reinstated on appeal, cannot count his former service towards leave unless the authority who, on revision or appeal, reverses the order of dismissal or removal, declares that his former qualifying service shall count.

Private Secretary.

206. Service as Private Secretary to the Governor-General, a Governor or a Lieutenant-Governor qualifies for leave, provided that the officer (before his appointment as Private Secretary) belonged to the Civil Service (whether the Indian Civil Service or not), or to the Indian Army, or to any of the Indian Establishments of the British Army.

207. After a continuous service of three years, a Private Secretary whose case is not provided for by the preceding Article, may be granted Leave on Medical Certificate to the extent of one year with a leave allowance equal to half his salary, and subject to a maximum of £1,000 a year.

Press Servants.

208 A Section-writer, or a Press servant, paid under the piece-work system, if granted leave, is not entitled to any allowance whatever during his absence.

Rule of Proportions.

209. The leave allowances of an officer not subject to the Foreign Service Rules (Part VII) who has served in any appointment the salary of which has been derived either wholly or in part otherwise than from Indian Revenues, is charged according to the Rule of Proportions.

SECTION III.—RETENTION OF APPOINTMENT.

Lien on Appointment.

210 An officer on Privilege leave has a lien on his substantive appointment; he has also a lien on his officiating appointment, so long as it is not resumed by an officer having a superior lien on it.

211. (*a*) An officer under the European Service Leave Rules, on ordinary Furlough, or on Special leave, has a lien on his substantive appointment or on a substantive appointment of a like character and not less pay. He has no lien on an acting appointment.

(*b*) On other Furlough a member of the Indian Civil Service or a Military officer subject to the Civil Leave Rules, has no lien; but a Civil Engineer or other officer subject to the European Service Leave Rules has a lien. (*See also Article 313.*)

212. An officer on Long Leave under the Indian Service Leave Rules retains a lien on his substantive appointment, but has no lien on an acting appointment.

213. An officer on Subsidiary leave has or has not a lien on an appointment according as he has or has not such a lien on the first or last day, as the case may be, of the leave to which it is subsidiary.

NOTE.—[A Military officer subject to the Military Leave Rules does not lose his lien during Subsidiary leave preparatory to Furlough.]

214. An officer on leave may not surrender his lien on his substantive

less pay than his standing in the regular line would justify.

215. An officer cannot obtain ordinary Furlough or Special leave unless he has a substantive appointment.

NOTE 1.—[A Military officer who has officiated continuously in the Civil Department for

Compulsory Retirement.

216. If a Local Government decides, before an officer whom it has the power to remove from the service leaves India, that he shall not be permitted to return to duty in India, it should give notice to him before he leaves India, so that any remonstrance which he may wish to make may be considered on the spot by an authority fully cognizant of the facts of the case. Such notice should not be postponed until after the officer's departure, and then communicated to him through the Secretary of State

217 If when an officer is going on leave out of India it is necessary to consider the propriety of removing him for incapacity, whether mental or physical, which is of such a nature that it is not possible to say, before his departure from India, whether it will be permanent or temporary, or if for any reason it is considered inexpedient that an officer who is on leave should return to India, the Local Government should report the circumstances fully (in the case of the Government of Madras, Bombay or Bengal direct; otherwise through the Government of India) to the Secretary of State. A communication of this nature should not be made direct to the officer concerned The report should be made in time to enable the Secretary of State to take any necessary measures before the officer would in ordinary course be permitted to return to duty, and in any case should reach the India Office at latest three months before the end of the officer's leave.

218. Articles 216 and 217 must not be understood to authorize the grant of Furlough to an officer who ought to be dismissed or removed from the service for misconduct or general incapacity.

Abolition of Appointment.

219. The abolition of the appointment of an officer absent on leave out of India should be immediately communicated to the Secretary of State.

PART III.

SECTION IV.—COMMENCEMENT AND END OF LEAVE.

220. Ordinarily leave in India including Subsidiary leave, and leave out of India when Subsidiary leave is not taken, begins on the day on which transfer of charge is effected, or, if charge is transferred after noon, on the following day; similarly such leave ordinarily ends on the day preceding that on which charge is resumed, or, if charge is resumed after noon, on that day. But if a Sunday or one or more gazetted holidays fall on the day immediately preceding that on which the leave begins, or on the day on which the leave or the joining time between two appointments ends, an officer may leave his station at the close of the day before, or return to it at the end of, such holidays, provided his departure or return does not involve—

(i) the immediate transfer of an officer from or to another station or the loss of his appointment by an officer appointed temporarily to the service.

(ii) the taking over of money, unless, subject to the condition that the departing officer remains responsible for the money in his charge, the Local Government specially allows transfer of charge to take place before or after the holidays.

If holidays are as above prefixed to leave, the leave and consequent rearrangement of allowances, if any, take effect from the first day after the holidays on which the office is opened for business, and if holidays are affixed to leave, the leave is treated as having terminated on, and the rearrangement of allowances, if any, takes effect from the day on which the officer would have resumed charge had holidays not followed the leave.

In cases in which the application of the above rules as to prefixing or affixing holidays to leave is doubtful or inequitable, the Local Government shall decide which officer shall be held to have been in charge and to which the salary of the office for the Sunday or holiday shall be paid.

221. When Subsidiary leave is taken, Furlough and Special leave out [illegible] the port where [illegible] an officer remains [illegible] Special leave dates [illegible] specially exempted from forfeiture of his Subsidiary leave by his Local Government under the provision of Article 323 (*b*). Furlough and Special leave out of India end on, and include, the day before the arrival at the port where the officer last quits it of the vessel in which he returns, and Subsidiary leave begins the day after.

NOTE 1.—[The Furlough or Special leave of an officer sailing from Calcutta in a vessel which touches at Madras begins on the departure of the vessel from Calcutta, and not from Madras.]

NOTE 2.—[The day on which the vessel in which the officer sails quits her moorings or anchorage, whether she leaves the limits of the port or not on that day, is the day of the departure of the vessel. The day of arrival of the vessel in which the officer returns, is the day on which the vessel reaches her moorings or anchorage in port.]

221A. Special rules have been laid down in Appendix 6A for reckoning leave in the case of officers stationed in certain remote districts outside India.

222. An officer taking Furlough or Special leave out of India, whether by itself or in combination with Privilege leave, must report his embarkation, through the Audit Officer, to the Local Government (or other authority) which granted his leave, and his arrival in England to the Secretary of State.

SECTION V.—RETURN TO DUTY.

NOTE.—[With the exception of Article 231, this Section applies to Military officers in *Civil employ subject to the Military Leave Rules.*]

Permission to Return.

223. (*a*) An officer may not, without the permission of the authority which granted him leave, return to duty more than fourteen days before the end of Long Leave.

(*b*) Officers returning to India at times other than those fixed for them by their own Government, are liable to be kept on subsistence allowance until a suitable vacancy occurs to which to post them.

224. An officer on Long Leave in Europe, North Africa, America, or the [illegible] must, if the leave was granted or has been extended on account [illegible] it be technically leave on medical certificate or not, [illegible] India Office as to his fitness to return to [illegible] Office for examination by the [illegible]

[illegible] *l.*

[illegible] ais Article :—

[illegible] ertificate, or whose leave has been [illegible] before the Medical Board at the [illegible] medical practitioners at least two [illegible] is to do so, and who is not permitted [illegible] rdinarily be charged with the cost of [illegible] adia informing them of the extension of leave [illegible]

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[illegible] leave on medical certificate [illegible] not, may, if he is residing in India or in any place not mentioned in Article 224, be required by the authority which granted the leave to produce, before he is permitted to return to duty, a medical certificate of fitness signed by such medical officer as the *authority may direct.*

226. An officer is not entitled, at the end of Long Leave or Subsidiary leave affixed thereto, to resume, as a matter of course, without further orders, the particular appointment which he vacated before his leave. He should report his return to duty as prescribed in Article 228 and await orders.

without medical certificate in commutation and extension of his original leave cannot be granted to him, if by such grant the limit of the number of officers absent on Furlough or Special leave fixed by Article 309 would be exceeded.]

235. If an officer subject to the Indian Service Leave Rules, who is absent on Leave on Private Affairs or on Furlough, takes in continuation Leave on Medical Certificate under Article 336, the whole of his absence is treated as leave under that Article.

236. Extraordinary leave without allowances cannot be converted retrospectively into Leave on Medical Certificate; but Leave on Medical Certificate may be given in continuation of Extraordinary leave without allowances.

Extension of Leave out of India.

237. (*a*) An officer absent on long leave in Europe, North Africa, America, or the West Indies, who wishes to have his leave extended or commuted must apply to the Secretary of State about three months before the expiration of his leave and, unless the extension is desired on medical grounds or is for a period of not more than 14 days, he must produce with his application evidence that the Local Government has been referred to by him, and has no objection to the extension or commutation desired. If the officer is on medical leave and desires an extension for more than 14 days, or if he is on other leave and desires an extension on medical grounds, he must satisfy the Medical Board at the India Office of the necessity for the extension If application for extension be delayed until the last two months of leave, advice of any extension granted for a period of more than seven days will be sent to India by telegraph and the cost of the telegram will ordinarily be charged to the officer.

1. In the case of a Commissioned Medical Officer, the Local Government should make a reference to the Director General, Indian Medical Service, before granting the permission.

(*b*) The Secretary of State reserves to himself the power of granting extension or commutation of leave to an officer in any case in which it appears to him that sufficient ground has been shown for the previous approval of the local Government not having been obtained before the application was made. In the event of the Secretary of State deciding to telegraph to India in regard to any such application, the cost of the telegrams to and from India will be charged to the applicant.

NOTE—[The Secretary of State in granting extension of leave sometimes declines to guarantee retention of appointment, if there is no time to communicate with the Local Government in India]

(*c*) The authority in India by which leave was originally granted is empowered, in any case in which it is satisfied that the non-return of an officer within the period of his leav[e was] due to circumstances beyond his control and of such a nature that extension was impossible administrative convenie[nce] or leave, if furlough It is also empowere[d] medical certificate the circumstance of any short ex[tension]

[N]o. 174.

Article 237.

Note under clause (*c*) of this

[...] up to a maximum of 14 days granted under [Ar]ticle 233, but may be granted whenever [...] Article 304. Cases in which the leave [...]

(*d*) Furlough out of India on medical certificate may be commuted into leave without medical certificate if such leave was due at the time when the original Furlough was granted, and if the officer seeking commutation is certified, as prescribed in Article 224, to have recovered his health. When extension of the commuted Furlough is applied for, the application must be supported by evidence that the officer's Local Government consents to the extension of his leave.

Applications for extensions of commuted Furlough on medical certificate should be dealt with by Local Governments in such a way that officers who have preferential claims to Furlough under Article 310 are not thereby debarred for a considerable time from availing themselves of the Furlough at their credit.

NOTE.—[This Article applies to the placing of officers who are on leave out of India on special duty in extension of the leave.]

238. An officer on long leave in any place out of India not mentioned in Article 237 (*a*) who wishes to have his leave extended or commuted, must apply three months before the expiry of the leave to the authority in India which granted it. Whenever leave is extended or commuted under this Article, the fact should forthwith be notified by the Audit Officer to the Government of India in the Finance Department, in order that it may be communicated to the Secretary of State with a view to the payments by Colonial Treasurers or Staff Officers being checked.

Privilege Leave.

239. When Privilege leave is, on medical certificate, retrospectively changed for Furlough out of India, so much of the leave passed before the departure of the vessel in which the officer sails may be treated as Subsidiary leave under clause (i) of Article 321 (*a*) as might have been granted as Subsidiary leave if the officer had originally obtained Furlough and not Privilege leave, notwithstanding that a portion of such retrospective Furlough has been passed in India.

NOTE —[This Article will not apply when the subsequent order grants leave in continuation of the Privilege leave under Article 233]

Military Officers.

240. In the case of a Military officer subject to the Military Leave Rules leave may be retrospectively commuted by the authority which granted it to any other kind of leave which the said authority would have been competent to allow when the original leave was sanctioned.

NOTE.—[Articles 237 to 239 apply to Military officers subject to the Military Leave Rules]

Chapter XII.—Short Leave.

SECTION I.—EXTENT OF APPLICATION.

241. The rules in this Chapter regulate the Short Leave of all officers in Civil employ (whatever may be the rules to which they are subject in regard to other leave) except :—

(*a*) The Governor-General, Governors, Lieutenant-Governors, and Members of Council (see Chapter XXII).

(b) Judges of High Courts (see Chapter XXIII).
(c) Barristers holding the appointments referred to in Chapter XXIV except as stated in that Chapter.
(d) Ecclesiastical officers appointed before 29th July 1906. But Articles 264, 279 and 280 do apply (see Chapter XXVII).
(e) Law officers, except as stated in Chapter XXXI.
(f) State Railway Establishments, except as stated in Chapter XXXII.
(g) Bengal Covenanted Pilots, except as stated in Chapter XXXIII.
(h) Port Blair Police (see Chapter XXXIV).
(i) Calcutta and Suburban Police Forces (see Chapter XXXVI).

Temporary and Non-Continuous Service.

242. (a) An officer who has a temporary or officiating appointment only may be allowed Privilege leave, without losing his lien on such appointment, if no substitute is required, or if his duties can be provided for without additional expense.

(b) If such an officer is, without interruption of his service, appointed to a permanent office, his temporary or officiating service may be treated as duty qualifying for Privilege leave.

NOTE.—[This rule does not apply to the State Railway officers whose service is classed under clauses (c) and (d) of Article 659.]

243. Privilege leave is not allowed to an officer employed in an establishment the duties of which are not continuous, but are restricted to certain fixed periods in each year. (*See also Article 369.*)

Petty Military Officers.

244. Privilege leave may be granted under this Chapter to a Military Hospital Assistant temporarily lent to the Civil Department. A Hospital Assistant is not entitled to Privilege leave in respect of duty done in the Military Department.

Seamen.

245. An officer or seaman attached to a Pilot vessel at the Sandheads may, in addition to the Privilege leave admissible under this Chapter, be allowed one month's leave on shore, beginning on the date of his arrival at Calcutta, after four months' continuous duty at the Sandheads.

SECTION II.—PRIVILEGE LEAVE—ORDINARY RULES.

Amount earned

246. The amount of Privilege leave earned by an officer is one-eleventh part of the time during which he has been on duty without interruption:

Provided that no Privilege leave can be earned by an officer by duty performed while three months' such leave is due to him, and that, whenever duty is interrupted, all claim to Privilege leave earned theretofore is forfeited. Absence on Privilege leave, though not counting as duty, is not an interruption of duty within the meaning of this Article.

247. The calculation must be made as follows:—One calendar month for every eleven complete calendar months of duty, and one day for every eleven days of the balance.

Qualifying Service.

248. When an officer is first appointed to the public service, duty qualifying for Privilege leave does not begin until he takes charge of his office.

249. Time spent on Subsidiary leave does not qualify for Privilege leave, but if an officer, returning from leave, not before the expiration thereof, be, only for the convenience of the Local Government and not for any fault of his own, prevented from joining an appointment on which he has a lien, or be kept out of employ on Subsistence allowance, then duty qualifying for Privilege leave begins on the day on which he presents himself to the Local Government ready for duty.

250. (*a*) In calculating the Privilege leave of a Military officer no distinction should be made between an officer who has a substantive Civil appointment and one who is merely officiating in the Civil Department

(*b*) The leave is earned by uninterrupted duty in either the Civil or the Military Department But a Military officer who has taken in any calendar year the whole or a portion of the Privilege leave admissible to him for that year, under Military Rules, does not begin to count service for Privilege leave in the Civil Department until the first day of the following year.

Limit.

251. The amount of Privilege leave admissible at one time is limited to three calendar months.

[illegible] ned in Persia at [illegible] Maskat and Bag[illegible] Privilege leave by [illegible] en they may w[illegible]s [illegible]

[illegible] period of overstay.

Amount due.

252. The Privilege leave due to an officer is the privilege leave which he has earned since the last interruption of duty, less the period during which he has been absent on Privilege leave.

(b) Judges of High Courts (see Chapter XXIII).
(c) Barristers holding the appointments referred to in Chapter XXIV except as stated in that Chapter.
(d) Ecclesiastical officers appointed before 29th July 1906. But Articles 264, 279 and 280 do apply (see Chapter XXVII).
(e) Law officers, except as stated in Chapter XXXI.
(f) State Railway Establishments, except as stated in Chapter XXXII.
(g) Bengal Covenanted Pilots, except as stated in Chapter XXXIII.
(h) Port Blair Police (see Chapter XXXIV).
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[illegible]

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250. (*a*) In calculating the Privilege leave of a Military officer no distinction should be made between an officer who has a substantive Civil appointment and one who is merely officiating in the Civil Department.

(*b*) The leave is earned by uninterrupted duty in either the Civil or the Military Department. But a Military officer who has taken in any calendar year the whole or a portion of the Privilege leave admissible to him for that year, under Military Rules, does not begin to count service for Privilege leave in the Civil Department until the first day of the following year.

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period of overstay.

Amount due.

252. The Privilege leave due to an officer is the privilege leave which he has earned since the last interruption of duty, less the period during which he has been absent on Privilege leave.

Interruptions of Duty.

253. If an officer remains absent after the end of Privilege leave, duty is interrupted within the meaning of Articles 246 and 260. But if t Local Government considers that his default was due to circumstances beyo his control, it may remit the penalty.

NOTE.—[The Local Government may delegate the power exercised by them under tl Article to any officer or class of officers subordinate to them not being below the rank Collector or District Judge]

254 If an officer remains absent after the end of Examination leave, o of Joining Time, the period of absence cannot count as duty qualifying fo Privilege leave, and, unless the absence is accounted for to the satisfactio of the Local Government, it is an interruption of duty.

NOTE.—[The Local Government may delegate the power exercised by them under this Article to any officer or class of officers subordinate to them not being below the rank of Collector or District Judge

255 (*a*) Leave under Articles 279 and 280 may, if the examination for which it is granted be successfully passed, and if the officer has not already had twelve months' leave under that Article, count as duty qualifying for Privilege leave.

(*b*) Leave under Article 281 may also count as duty qualifying for Privilege leave if the examination for which it is granted is successfully passed.

(*c*) Examination leave does not interrupt duty unless, in the case of leave granted under clauses (*a*) (ii) and (*b*) of Article 280 and under Article 281, the officer fails to pass the examination for which the leave is granted.

256. Hospital leave under Articles 287, 288 and 291 and leave on medical certificate under Articles 661 and 663 are not interruptions of duty.

257 Suspension from office as a penalty for misconduct is an interruption of duty.

258. Suspension from office pending enquiry into an officer's conduct interrupts duty or not as may be decided in each case by the authority having power to pass final orders in the case. Time passed under suspension does not qualify for Privilege leave, unless, in any case, such authority expressly orders that it shall so qualify.

259. " Leave in India " under Rule 1 of the Leave Rules for the Indian Army is an interruption of duty.

Condition of Grant.

260 To an officer who has been on duty, without interruption, for eleven calendar months, and who has not, for six calendar months, been absent on Privilege leave, the whole or any part of the Privilege leave due to him may be granted But when Privilege leave is combined with other leave under Article 233, the amount due may be granted irrespective of these conditions.

No. 175.

Page 69. Article 260.

Insert the following as Rule 2 under this Article :—

2. The Government of India may relax the condition in this Article requiring an interval of six months to elapse between two periods of privilege leave, in cases in which its enforcement would, in their opinion, cause special hardship to the officer concerned individually or be of material disadvantage to the State.

(5th Edition.—Reprint, No. 175, dated 10-1-17).

No. 67.

Page 69. Article 263.

Insert the fellowing as an Exception to this Article :—

Exception.—Officers of the Indian Medical Service who have rendered not less than 3 years' officiating service but have not yet been confirmed in a civil appointment may draw, during privilege leave, when they have no lien on any appointment, the allowances that would be admissible under ... leave rules.

...ence all

No: 147 *Page 69. Article 264.*

Substitute the following for this Article and the Note thereunder :—

Article 264.—Save whe ... the rules with other leave, privilege leave or vacation is ... return of an officer to duty on the expiry of such leave or vacation.

NOTE 1.—[This article does not affect the right to privilege leave allowance of an officer who is granted extraordinary leave in continuation of privilege leave, or who exceeds privilege leave up to a week under Article 229 (ii).]

NOTE 2.—[This article does not apply to an officer who after the age of 54 years has been refused leave owing to the exigencies of the public service and retires on the expiry of privilege leave granted under Articles 301, 345 and 677. Nor does it apply to one who, though having recorded the declaration referred to in the Notes under these articles and in Article 826, is compelled to retire on the expiry of the privilege leave owing to circumstances beyond his control. The validity of such circumstances will be decided by the authority which grants the officer's pension or gratuity.]

(5th Edition Reprint, No. 147, dated 29-9-18.)

ent from and higher than the rate of pay drawn by a Joint Magistrate or by an officer in Class I of the Indian Finance Department respectively.

266. An officer who holds an appointment sanctioned for not more than six months is not entitled, during Privilege leave, to the special rate of pay of, or any special allowance attached to, the appointment.

Local Allowances how affected.

267. A Local Allowance may be drawn by an officer on Privilege leave only if there is no *locum tenens* to whom it is payable.

1. An officer on Privilege leave may draw Presidency allowance or Presidency house-rent, provided that no extra expense is thereby caused to the State and provided his previous rate of expenditure for a house is continued during his absence

No. 2.

Page 70, Article 267—

Add the following at the end of Note under Note 1 to this Article:—

... to the Calcutta, Bombay and Rangoon House Allowances Schemes."

No. 44.

Page 70. Article 267, rule 2.

Insert the following as a note under this rule:—

"For ... North-West Frontier Province, whose ... gation D ... be regarded as one Province, provi... that no ... payment of the allowance is caused to State."

(5th Edition—Reprint, No. 44, dated 5-8-15.)

... allowance admissible to them, provided it is not paid to their substitutes.

269. A Military Medical Subordinate employed in the Civil Department may, when on Privilege leave, draw the *special* allowances of his appointment such as house-rent, horse allowance, *etc.*, provided that *they are not* drawn by *any other* officer during his absence.

270. *Cancelled.*

SECTION III.—PRIVILEGE LEAVE IN CASES OF REGULAR VACATIONS.

271. Privilege leave is not admissible to officers serving in departments in which regular vacations are allowed, during which the officers are permitted to be absent from duty, as Judicial Officers (other than District and Sessions Judges), Educational Officers, Officers in a High Court. But in case of urgent necessity, Privilege leave may be granted to any such officer under the ordinary rules, subject to the conditions—

(i) *that the officer shall during* his absence receive *only half* the salary and *allowances ordinarily* admissible *during Privilege* leave, and

(ii) that the leave cannot in any case be combined with ...

NOTE.—[The rule in this ... tional Judicial Comm ... *conditions of the not*

272. The preceding Article does not apply to the case of an officer who is by general or special orders issued by competent authority prevented in any year from availing himself of the vacation or vacations by reason of his having to remain at his post on *duty*. In such a case, Privilege leave may be granted under the ordinary rules: Provided always that the leave shall not in any case be combined with vacation.

NOTE.—In the ... tion is ... except ... can be given for the period

PA ...

of service rendered between two vacations, until the second vacation expires. If, however, the conditions required by this Article or by Article 273 to render an officer eligible for Privilege leave under the ordinary rules, are subsequently fulfilled in respect of the second vacation, [illegible]

273. An officer whose work requires him to be present at his station for a portion of the vacation is eligible for Privilege leave under the ordinary rules, provided he has not been absent from his station for more than fifteen days of the vacation. If he has been absent for more than fifteen days, his title to Privilege leave is regulated by Articles 271 and 274. Any such officer applying for Privilege leave must attach to his application a certificate either—

(i) that he was not absent from his station for more than fifteen days or

(ii) that he was absent from his station for a specified number of days exceeding fifteen,

in any of the vacations included in the period of service by which the Privilege leave claimed has been earned.

NOTE.—[Absence on duty, whether within or out of jurisdiction, is not absence from station for the purposes of this Article.]

274. An officer who is, by general or special orders issued by competent authority, prevented from availing himself of a part only of a periodical vacation, may, during Privilege leave subsequently taken, draw his full salary for a period bearing the same proportion, if the vacation be annual, to a month, or if it be half-yearly, to half a month, as the time spent on duty during the vacation bears to the whole vacation.

275. An officer transferred from a department to which the ordinary Privilege leave rules apply to one in which Articles 271 to 274 apply, loses all claim to take the Privilege leave at his credit, provided that—

(i) Any Privilege leave granted to him during the first three years after his transfer under Articles 271 to 274 may, to the extent of the Privilege leave at his credit as aforesaid, be leave on full salary not exceeding the salary which would have been admissible if he had taken the leave immediately before being transferred.

(ii) If he returns to a department in which Privilege leave is regulated by the ordinary rules, he shall be reckoned on such return to have at his credit the amount of leave which was at his credit at the time of the first transfer, less any amount enjoyed under proviso (i)

276 The reckoning under the preceding Article shall not, in any case, extend backwards over an interruption of duty.

277. Officers to whom Privilege leave under the ordinary rules and conditions is not admissible (Article 271), may combine vacation with Long Leave (either at the beginning or end thereof) on the same conditions as those on which other officers are allowed to combine Privilege leave under Article 233.

27 *Page 72, Article 278—*

Substitute the following for this Article and the Note thereunder:—

278. The foregoing rules do not apply to District and Sessions Judges: to them privilege leave is granted under the ordinary rules, and they may combine—

(*a*) Privilege leave with long leave under the conditions of Article 233;

(*b*) Vacation on full pay with leave of any kind provided that—

(*i*) No additional expense is incurred by the State for the period of the vacation.

(*ii*) Vacation is not both affixed and suffixed to leave.

(*iii*) The total period of absence on full pay, when vacation is taken in conjunction with combined leave, does not exceed three months.

NOTE 1.—[The rule in this Article has been extended to the Judicial Commissioners, and Additional Judicial Commissioners of Oudh, Sindh and the Central Provinces, for such time as the Court of the Judicial Commissioners in each case consists of not less than three Judges and provided the Court's annual vacation does not exceed one month.]

NOTE 2.—[The provisions of this Article also apply to Sessions and Subordinate Judges in the United Provinces.]

(6th Edition—Reprint, No 3, dated the 1st April 1915)

280. (*a*) A candidate for the High Proficiency and Degree of Honour examinations in all vernacular languages may, at the discretion of the Local Government, be granted study leave up to three months before the examination

(*b*) A candidate for a reward by the Higher Standard or High Proficiency in Sanskrit, Arabic or Persian may be allowed leave for a period not exceeding three months if he undertakes to spend it in study under professional tuition at any place approved by the Local Government.

(*c*) An officer who is a candidate for the Degree of Honour in Sanskrit, Arabic or Persian may be allowed either leave for a period not exceeding three months under clause (*b*), or if he leaves India for study, leave for six months to Persia for Persian, or for six months to Arabia, Mesopotamia, Egypt and Syria for Arabic, or for six months to any place approved by the Local Government for Sanskrit. Officers of the Political Department of the Government of India may be granted this leave even when they are candidates only for the Higher Standard or High Proficiency test in Arabic or Persian.

NOTE.—[Leave under clause (*a*), (*b*) or (*c*) is not admissible more than once; nor can such leave be combined.]

(*d*) Leave under this Article may be combined with Privilege leave, provided that Privilege leave prefixed to leave under clause (*c*) must be spent in, or in travelling to, one of the countries mentioned in the clause.

(*e*) An officer on leave under this Article has a lien on his appointment, substantive or officiating, and is entitled to leave allowances, as if he were on Privilege leave, for an aggregate maximum period of twelve months.

NOTE —[An officer serving in a department in which regular vacations are allowed is entitled, during examination leave, to a leave allowance equal to the salary which he would receive if he were on duty in the appointment on which he has a lien]

281. An officer of the Burma Commission, who has passed an elementary examination in Chinese, and is a candidate for the reward of Rs. 2,000, may, on [illegible] Privilege [illegible] the [illegible] ave, [illegible] 233, [illegible] not exceed two years, exclusive of Subsidiary leave. But Privilege leave cannot be allowed in continuation if the officer fails to pass the examination.

Such leave can be granted only once to any officer.

NOTE —[Leave granted under Articles 280 and 281, covers the whole period of absence from regular duty, including the day or days of examination and the time spent in proceeding to and from the place of examination. The leave cannot be taken in instalments]

282. Except as provided in Articles 280 and 281, no kind of leave, except Furlough on medical certificate, may be granted in continuation of Examination leave.

283 The rules in this Section apply to Military officers subject to the Military Leave Rules serving in any Civil Department other than the Public Works, Railway, the Survey of India and Forest Departments, to which Departments they are not applicable.

Departmental Examinations.

284 (*a*) An officer while absent from his office or from his station to attend an obligatory Departmental Examination, or (in the Punjab) an examination in Pushtu or Baluchi, is considered to be on duty.

(*b*) Leave may not be given under this Article to an officer to prepare for examination, or for recreation after examination. A reasonable time, including *the day or days of examination, should be allowed for the journey to and* from the place of examination, and nothing more

285 An officer permitted to present himself at any examination which [illegible] the number of days actually necessary to enable him to attend at the examination. During this short absence, no deduction will be made from the officer's allowances, unless the head of the office finds such deduction necessary to enable him to make arrangements for carrying on the work. Such leave should not be allowed more than twice for each standard of examination.

286. Leave may not be granted under this Section to a Military officer subject to the Military Leave Rules to enable him to pass an examination *under Article 684, Army Regulations, India, Volume I, Part I.*

SECTION V.—HOSPITAL LEAVE.

Jail Warders, Postal Officers ; Peons and Guards.

287. A Warder of a Lunatic Asylum (except in Central P[illegible]

Page 71. Article 287.

[illegible] *substitute for the words* "The [illegible]" *the words* "The Director-General [illegible] General" ; *also substitute at the* [illegible] "The Director-General" *for the* [illegible]

[illegible] exceptional circumstances, as, for example, if he is wounded by robbers or a wild animal, and may also, at his discretion, dispense with the condition requiring attendance at a hospital or dispensary. He may also grant leave on full pay in India for a period not exceeding six months to subordinates of the Railway Mail Service who may be injured in the execution of their duty, subject to the conditions under which such leave is granted to State Railway employés by the Managers of State Railways under Article 665.

NOTE.—[The term "Peon" in this Article includes a process-server of that class.]

Police and Salt Department Officers.

288 [illegible] Act of the Legislature (not being a membe[illegible] whose pay does not exceed Rs. 20, or if he [illegible] Police Force, Rs. 25, or an officer of the Northern India Salt Revenue Department, or of the Madras Salt and [illegible] in the out-ports and land [illegible] al or Bihar and [illegible] any other province whose pay does not exceed Rs 20 a month, or a Head Warder or Warder of a Lunatic Asylum whose pay does not exceed Rs.20 in the Central Provinces or in any other province where the Local Government extends the concession of this Article to this class of officers, may, while sick in hospital or while receiving medical aid as an out-door patient at the station or head-quarter of [illegible] the sanctioning [illegible] period [illegible] nts and [illegible] nissible under these Regulations. [illegible] leave the officer may receive full pay, and for the remaining three months half pay, without the restriction that no extra cost shall be imposed upon the State: Provided

always that this concession shall be confined strictly to cases in which illness shall be certified not to have been caused by irregular or intemperate habits.

NOTE 1.—[A Police officer on leave under this Article may for the first three months of such leave, during which full pay is admissible, retain any local allowance attached to his appointment: Provided there is no *locum tenens* to whom it is payable.]

NOTE 2.—[Constables of the Bombay City Police while on leave under this Article may draw the house-rent allowance admissible to them, provided it is not paid to their substitutes.]

School Mistresses.

288A. Maternity leave of absence from duty may be granted on full pay by a Local Government or any subordinate authority empowered in this behalf whether by general or special order by a Local Government to school mistresses for a period which shall not ordinarily exceed two months, but which may be extended to 3 months at the discretion of the sanctioning authority.

Marine and Military Establishments.

289. An Officer, Warrant or Petty officer, of the Indian Government, sea-going, inland, or harbour vessels and hulks, is, in case of sickness or injury, ordinarily treated on board his vessel, and is entitled to full pay for a period not exceeding six weeks. If sent to a hospital, such an officer is, unless the disease or injury is certified by a responsible Medical Officer to have been caused by an offence such as malingering, wilful maiming, wilful aggravating of disease or injury, drunkenness, etc., committed by him, entitled to full pay for a period of six weeks, inclusive of any time passed on board his ship sick-quarters. Time thus spent in ship sick-quarters or in hospital on shore, up to a period of six weeks, is not an interruption of duty within the meaning of Articles 246 and 260. An officer of the Marine Department who holds a shore appointment is not entitled to this concession.

NOTE.—[The provisions of this Article apply to the crew of the Indo-European Telegraph Department Steamer.]

290. A seaman disabled while in the discharge of duty may be allowed pay at harbour rates for a period not exceeding three months, provided that the injuries from which he is disabled are certified to by a Government Medical Officer, and are not owing to the seaman's own carelessness or inexperience, and that the vacancy caused by his absence is not filled up.

291. An Engineer of the Marine Department, an employé in a Government Press, a subordinate employé (including a temporary or extra employé) in an Ordnance or Government Dockyard establishment, a syce whether permanent or temporary [illegible] a public servant [illegible] ork on account [illegible] for one month,

292. A Dockyard artificer on the permanent establishment may, in case of ordinary sickness, be allowed full pay for a week, if his work can be carried on without a substitute and without incovenience, but no pay can be allowed to him—

(i) if it be necessary to appoint a substitute; or

(ii) if his absence be prolonged beyond a week, whether it be ry to appoint a substitute or not.

Hospital Servants, M nd Bombay.

293. Half pay for a period not exc months altogether in one term of three years, whether the leave period or by ments, may be granted to the followi d absence on account of illness, without refer substitutes, on production of a certificate dec n is an in-patient, and under treatment for a d dence :—Ward attendants, Toties, Bearers, Coo ant mate, in the Presidency Town of Madras ; a ing dispensary servants, and dressers) Cooks, Sw the Bombay Presidency.

Presidency Public Works Workshops, M

294. Labourers in the Presidency Public Works W employed on daily wages, when temporarily absent from work of injuries sustained on duty in the Workshops, may, on pro medical certificate, signed by a properly qualified officer of G recommending their absence from work, be granted, under the spec of the Superintendent or officer in charge of the Workshops, allowanc exceeding those sanctioned in Article 666 for Labourers in S Railway Workshops.

SECTION VI.—DEPARTMENTAL LEAVE.

295. Departmental leave may be granted during the Recess by the Head of the party or Office to which he belongs to—[1]

(i) a Native Surveyor or other subordinate in the Survey of India, or in the traverse Survey Party of the Central Provinces, whose service is superior,—on half pay or less (payable on return to duty), or without pay ;

(ii) a Forest Subordinate in Kumaun and Garhwal and the following sub-montane divisions :—Pilibhit, Kheri, Bahraich, Gonda and part of Gorakhpur,—on half pay (payable on return to duty) ;

(iii) such of the Tindals, Mates, Khalasis, Jamadars, Chaprasis, Burkandazes attached to any Party or Office of the Survey of India or to the traverse Survey Party in the Central Provinces, as the Head of the Party or Office may deem it desirable to re-entertain for the ensuing season,—on allowances not exceeding half pay (payable on return to duty) :

Provided always that the officer returns to duty when required by his superior officers.

1 Superintendents in charge of Survey circles and the Superintendent of the Trigonometrical Survey may at their discretion and in the interest of Government grant departmental leave, not exceeding six months at a time, to officers mentioned in clauses (i) and (iii) at times

other than the Recess ; and the Surveyor-General ma...
leave granted under th...

No. 88.

Article

Page 77. *Article 296.*

Omit the words "a forest subordinate in the tracts mentioned in Article 295 (ii)" from the 4th and 5th lines of this Article, as amended by Correction Slip No. 88, dated the 3rd February 1916.

(5th Edition—Reprint, No. 132, dated 12-7-16.)

(5th Edition—Reprint, No. 88, dated 3-2-16.)

... prevented
... departmental leave in consequence of the exigencies of the service.

Chapter XIII.—Long Leave—European Services.

SECTION I.—EXTENT OF APPLICATION.

297. The rules in this Chapter apply to—

(*a*) Members of the Indian Civil Service.

(*b*) Military officers subject to the Civil Leave Rules.

(*c*) The officers enumerated in Appendix 3 of the 2nd edition of these Regulations, and also all officers belonging to the classes enumerated in Article 330 (*c*) of that edition and appointed thereto by the Secretary of State or with his particular sanction.

(*d*) Members of the Imperial Branch of the General (Executive and Judicial) Administration ; the Education Department ; the Forest Department, and the Survey Department.

(*e*) Officers substantively holding any of the appointments enumerated below :—

Madras High Court, when these appointments are held by ...

POLICE DEPARTMENT.—Assistant Superintendents and officers of higher rank.

JAIL DEPARTMENT.—Inspectors General and Superintendents of Central and Presidency Jails.

EDUCATION DEPARTMENT.—Principals of the following institutions :—Lawrence Military Asylum, Sanawar ; Mayo College, Ajmer ; Residency College, Indore ; Government College, Ajmere ; Rajkumar College, Rajkot.

PART III.

BERAR COMMISSION.—*Assistant Commissioners and officers of higher* rank appointed by the Secretary of State, or with his particular sanction.

PORT BLAIR COMMISSION.—Assistant Superintendents and officers of higher rank.

ACCOUNTS DEPARTMENT (CIVIL)—

(a) Officers of the Indian Finance Department, including members both of the late Enrolled List and of the late Superior Accounts Branch of the Public Works Department :—

(i) if appointed in England by the Secretary of State;

(ii) if appointed otherwise, but drawing pay not less than Rs. 800 a month.

(b) Officers of the late Postal Accounts Department drawing pay not less than Rs. 800 a month.

MILITARY ACCOUNTS DEPARTMENT.—Officers appointed in England by the Secretary of State.

POSTAL DEPARTMENT.—Officers of higher rank than Superintendent.

OPIUM DEPARTMENT.—Sub-Deputy Opium Agents and officers of higher rank.

SALT DEPARTMENT.—Assistant Commissioners and Assistant Collectors and officers of higher rank.

MINOR SCIENTIFIC DEPARTMENTS.—Civil officers of the Civil Veterinary Department *and all other officers originally appointed to* the public service by the Secretary of State or with his special sanction.

ARCHÆOLOGICAL DEPARTMENT.—Director-General, Epigraphist, and Superintendents of circles.

IMPERIAL CUSTOMS DEPARTMENT—

(1) Officers appointed in England by the Secretary of State.
(2) Other officers on pay of not less than Rs. 900 a month.

PUBLIC WORKS AND RAILWAY DEPARTMENTS. *General.*—Officers of the Engineer Establishment, the Superior Accounts Branch, and the Superior Revenue Establishment of State Railways, appointed thereto by the Secretary of State or with his particular sanction.

ENGINEER ESTABLISHMENT.—Engineer officer of whatever rank in the Department, who belong to the Imperial Branch of the establishment, except those who were appointed in India as Natives of India.

Special Engineers (ungraded) who were taken over from the service of Guaranteed Railway Companies when the lines were transferred from the Companies to the Government, from the time they reach a substantive pay of Rs. 850 or over.

Superior Accounts Branch.—Officers of class IV, grade 2, and of higher rank.

Superior Revenue Establishment of State Railways.—Officers whose pay is not less than Rs 800 a month.

Government of India, Public Works Department, Secretariat.—Under Secretary not being a member of a graded establishment ! ~311

INDIAN TELEGRAPH DEPARTMENT.—The Imperial Branch of the Department.

INDO-EUROPEAN TELEGRAPH DEPARTMENT.—Officers of the graded establishment of Directors; Electrician; Superintendents and Assistant Superintendents.

Medical officers, if appointed by the Secretary of State.

The Commander, First and Second Officers, and Chief Engineer of the Cable Ship.

MARINE DEPARTMENT.—Constructors, Bombay and Kidderpore Dockyards.

MEDICAL DEPARTMENT.—Matron, Assistant Matron and the Nursing Sisters of the General Hospital, Rangoon, when recruited in England.

PRINTING DEPARTMENT.—Superintendents of Government Printing, India, Madras, Bombay, Bengal, United Provinces and Burma on pay not less than Rs. 800 a month

OTHER [illegible]

(*f*) Officers specially admitted by the Government of India to the benefit of the rules in this Chapter.

[illegible]

efficiency.

SECTION II.—FURLOUGH.

General Limitation.

299. The amount of Furlough admissible to a member of the Indian Civil Service or a Military officer subject to the Civil Leave Rules and the aggregate amount of Furlough and of Special leave with allowances admissible to any other officer to whom these rules apply (*see Article 297*), is six years. All the rules in this part of the Regulations are subject to this limitation.

300. The following leave under other rules is counted as Furlough under the preceding Article :—

(*a*) In the case of a Military Officer subject to the Civil Leave Rules :—

(1) Furlough under Rules 1 and 6 of the Military Furlough and Leave Rules of 1875 ; and

(2) Leave in or out of India with pay under the Leave Rules of 1886 for the Indian Army.

NOTE 1.—[See note to Rule 4 of the Military Furlough Rules of 1875]

NOTE 2.—[All leave falling within clause (*a*) (2) of this Article counts towards the maximum limit in Article 299, even though it may not be taken into account in calculating the amount of furlough earned under Article 303]

(*b*) In the case of any other officer to whom these rules apply,—Furlough and leave with allowances on medical certificate, and Leave on Private Affairs under the Indian Service Leave Rules.

Leave after completion of term of Service.

301. (*a*) The limitations affecting members of the Indian Civil Service whose term of service is complete, are prescribed in Article 555, and those affecting Military Officers, in Article 620.

(*b*) Any other officer subject to the rules of this Chapter who is retained in the service after the age of fifty-five years may, after attaining that age, be granted Privilege leave or any Special leave to which he may be otherwise entitled or Subsidiary Leave preparatory to retirement, or Extraordinary leave without allowances under Article 332. The total leave granted, under the heads of Special or Extraordinary, must not exceed six months in all. No other kind of leave may be granted, and any leave, other than Privilege leave or Special leave or Subsidiary Leave preparatory to retirement, granted to such an officer before the date on which he attains the age of fifty-five years, ceases to have effect on that date

NOTE.—[Except in the case of an officer who, after the age of 54 years, has been refused leave owing to the exigencies of the public service, the grant of leave under clause (*b*) of this

Article is subject to the condition that the officer returns to duty at the end of the leave. In applying for leave the officer must record a declaration that he has no intention of retiring for three months after his return to duty.]

Furlough earned.

302. The amount of Furlough "earned" by an officer is one-fourth of his Active Service. (*See also Article 305.*)

NOTE.—[In the case of a Military officer subject to the Civil Leave Rules this Article has effect only from the date on which he becomes subject to those rules (see rules 1 and 2 under Article 35), furlough in respect of previous service being credited under Article 303.]

303 A Military officer subject to Civil Rules may, if he desire it, add to Furlough earned by service under Civil rules an amount of Furlough in respect of his previous service calculated as shown below. If, however, the result of such calculation is that the officer had, at the time of coming under Civil rules, taken leave in excess of the proportion applicable to his previous service, such excess shall not be taken in reduction of the Furlough earned by him under Civil rules. A Military officer subject to Civil rules may be granted at any time any leave which he has earned under Civil rules and may defer or forego the leave he has earned under Military Regulations.

(i) An officer who, at the time of coming under Civil Leave Rules, was subject to the Military Furlough Regulations of 1868 or 1875, may be credited with the Furlough that may have accrued to him, less any Furlough already taken which, under those rules, would reduce the amount of Furlough due. The amount of Furlough accrued shall, in that case, be calculated proportionably on the whole service qualifying for Furlough without reference (*a*) to the restriction imposed by those rules on the counting towards Furlough of any Military Service in India rendered by the Officer previous to his becoming subject to such rules, and (*b*) to the minimum periods of service which those rules require to be rendered before Furlough can be granted.

(ii) The service for Furlough of an officer whose case does not fall under clause (iii) of this Article, and who, when he came under the Civil Leave Rules, was subject to the Indian Army Leave Rules (1886), shall be calculated in accordance with Article 302 retrospectively from the date of his arrival in India, *i.e.*, he shall be credited with Furlough equivalent to one-fourth of his Active Service as defined in Article 8, less any leave with pay in or out [illegible]

continuous service in India, whether the election was made before or after their entry into Civil employment, or (2) have completed five years' Indian Service and elect to come under Civil Leave Rules.

NOTE.—[An officer of the Royal Engineers who has not elected for continuous service in India remains under British Army Leave Rules till he completes five years' Indian Service.]

(iii) In the case of an officer who, before electing the Leave Rules for the Indian Army (1886), was subject to the Military Furlough Regulations of 1868 or 1875, the amount of furlough to be added to Furlough earned under the Civil Leave Rules shall be calculated in the following manner:—

(a) for the period the officer was subject to the Military Furlough Regulations of 1868 or 1875 he shall be credited with Furlough calculated in accordance with clause (i) of this Article;

(b) for the period the officer was under the Leave Rules for the Indian Army (1886), he shall be credited with Furlough calculated in the manner described in clause (ii), except that the calculation shall be made from the date of coming under the Indian Army rules, instead of from the date of arrival in India.

[illegible]

Furlough due.

304. The amount of Furlough "due" to an officer is the amount which he has "earned," diminished—

(a) in the case of a member of the Indian Civil Service or a Military officer subject to the Civil Leave Rules, by the Furlough which he has enjoyed under these rules;

(b) in the case of an officer other than an officer of the Indian Civil Service or the Army by the Furlough or Special leave with allowance, which he has enjoyed under these rules *(See also Article 305.)*

305. The following rules regulate the calculation of the Furlough due to an officer who, after being subject to the Indian Service Leave Rules, becomes entitled to the rules contained in this Chapter —

(a) In the case of an officer who becomes entitled to the rules in this Chapter on or after 11th October 1893, the date of receipt of the Secretary of State's Despatch No 188 of September 21, 1893, by reason of his acquiring on or after that date the qualification specified in Article 297 (d) or (e) —

(i) The amount of Furlough due to him shall be taken at one-eighth of his active service while under the Indian Service Leave Rules, less the amount of Furlough or of Leave on Private Affairs enjoyed by him under Articles 337 and 338.

(ii) Leave on Medical Certificate shall in this calculation reckon neither as service qualifying for Furlough nor as Furlough taken, but the amount of Furlough due shall not exceed the amount which would be due if the officer had been under the European Service

Leave Rules *from the beginning of his service* and the leave taken by him on medical certificate had been Furlough on medical certificate under the rules in this Chapter.

(*b*) *In the case of an officer who is brought under the rules in this Chapter* for the first time, by the operation of the orders in the despatch of the 21st September 1893, but who would have come under them at an earlier date if they had been in force at the time, the calculation of Furlough and other leave due shall be made as follows :—

(i) If under those orders he would have been under the rules in this Chapter from the commencement of his service, the calculation shall be made as if such rules had applied to him from the commencement of his service, and all leave taken by him had been taken under those rules

(ii) If under those orders he would at some stage in his service have passed from the Indian Service Leave Rules to the rules in this Chapter, then the calculation shall be made under the rules in clause (*a*) under this Article, as if he had come under the rules in this Chapter at such earlier stage. He shall be held to have been under the rules in this Chapter from the said earlier date, and all Furlough, Leave on Private Affairs, or Leave on Medical Certificate taken after such date shall be treated as Furlough taken under the rules in this Chapter.

Provided that in the case of the officers mentioned in Article 297 (*c*) who came under the rules in this Chapter before the 11th October 1893, the calculation shall continue to be made under the following rules :—

In calculating the Furlough "earned" only half the Active Service rendered by the officer in offices other than those included in Article 330 of the Second Edition of these Regulations is taken into account. The whole of the Active service rendered by the officer whilst officiating in any of those offices is taken into account.

306. The rules in Articles 304 (*b*) and 305 are subject to the proviso that if more than two years' Furlough be due to an officer when he first becomes subject to the rules in this Chapter, the excess shall be cancelled.

307. An officer who comes under the rules in this Chapter, while he is on leave under the Indian Service Leave Rules, may at his option—

(*a*) change his leave allowances to the amount admissible under the European Service Leave Rules and come under them immediately ; or

(*b*) postpone his coming under them until his return from leave.

Furlough admissible.

308. To an officer who has rendered three years' Continuous Service, Furlough for not more than two years may be granted as follows :—

(*a*) On medical certificate :—unconditionally ; *see Articles 828 to 832 ;*

(b) without medical certificate :—subject to these provisos .—

(i) that the Furlough be due to him ;

(ii) that he has rendered eight years' Active Service in Civil employ ;

(iii) that an interval of not less than eighteen months has elapsed between last return from Privilege leave of over six weeks' duration, and the furlough or privil[illegible]

No. 175.

Page 83. Article 308.

Insert the following as a Note under this Article :—

NOTE.—The Government of India may relax the following conditions governing the grant of furlough under this Article, in cases in which their enforcement would, in their [illegible] be of material disad-[illegible]

[illegible] lege leave of over [illegible]

[illegible] in the case of a [illegible] idered eight years' [illegible] fter he has availed [illegible]

(5th Edition—Reprint, No. 175, dated 10-1-17).

309. Except on medical certificate or on very urgent private affairs, Furlough or Special leave may not be granted to any member of the Indian Civil Service, or to any Military officer whether subject to the Civil or Military Leave Rules, or to any other officer who is, if employed in Oudh, the Central Provinces, Burma, Assam, Ajmer, Coorg or Berar, a member of the Commission, or who is, if employed elsewhere, the holder of an office corresponding to that of a member of a Commission, if one-fifth of all the officers of a Commission or of all officers holding appointments similar to those of members of a Commission, as the case may be, are already absent on Furlough or Special leave, or study leave in the case of officers of the Indian Medical Service.

310. (a) If, under the operation of proviso (v), Article 308, the applications for Furlough (including those under Article 232) cannot all be complied with, Furlough will be granted in the following order —

First—To the applicant to whom the most Furlough is due ;

Secondly—Of two or more applicants to whom the same amount is due ; to him who has rendered longest Continuous Active Service ;

Thirdly—Of two or more such applicants who have rendered the same Continuous Active Service—to the Senior.

(b) This Article refers to applications registered for a Furlough not yet vacant. The order of date in which such applications are made has no significance. The Article cannot affect applications made for a Furlough already vacant unless they happen to arrive by the same post.

Leave Rules from the beginning of his service and the leave taken by him on medical certificate had been Furlough on medical certificate under the rules in this Chapter.

(*b*) In the case of an officer who is brought under the rules in this Chapter for the first time, by the operation of the orders in the despatch of the *21st* September 1893, but who would have come under them at an earlier date if they had been in force at the time, the calculation of Furlough and other leave due shall be made as *follows* .—

(*i*) If under those orders he would have been under the rules in this Chapter from the *commencement of his service*, the calculation shall be made as *if such rules had applied to him from the commencement of his service*, and all *leave taken by him* had been taken under those rules.

(ii) If under those orders he would at some stage *in his service* have passed from the Indian Service Leave Rules to the *rules in this Chapter, then the calculation shall be made under the* rules in *clause (a) under this Article, as if he had come under the* rules in this Chapter *at such earlier* stage. *He shall be held* to have been under *the rules in this Chapter from* the said *earlier date*, and all Furlough, Leave on Private Affairs, or Leave on Medical

Provided that in the case of the officers mentioned in *Article 297 (c)* who came under the rules in this Chapter before *the 11th October 1893, the* calculation shall continue to be made under the *following rules* :—

... the Furlough "earned" only *half the Active Service rendered by the officer*

... of the Second Edition *of these* Regulations

... *rvice* rendered by the *officer* whilst officiat-

... h "earned" is diminished by the *Furlough*,

... rtificate with allowances, *which the officer*

306. The rules in Articles 304 (*b*) and 305 are subject to the proviso that if more than two years' Furlough be due to an officer when he first becomes subject to the rules in this Chapter, the excess shall be cancelled.

307. An officer who comes under the rules in this Chapter, while he is on leave under the Indian Service Leave Rules, may at his option—

(*a*) change his leave allowances to the amount admissible under the European Service Leave Rules and come under them immediately ; or

(*b*) postpone his coming under them until his return from *leave*.

Furlough admissible.

308. To an officer who has rendered three years' Continuous Service, Furlough for not more than two years may be granted as follows :—

(*a*) On medical certificate :—unconditionally ; *see Articles 828 to 832* ;

(b) without medical certificate :—subject to these provisos :—

(i) that the Furlough be due to him,

(ii) that he has rendered eight years' Active Service in Civil employ ;

(iii) that an interval of not less than eighteen months has elapsed between last return from Privilege leave of over six weeks' duration, and the furlough or privi-

No. 175.

Page 83. Article 308.

Insert the following as a Note under this Article :—

... the following conditions governing the ... enforcement would, in their ... or be of material disad- ...

... privilege leave of over ...

... ugh in the case of a ... rendered eight years' ... gh after he has availed of it once in such employ.

(5th Edition—Reprint, No. 175, dated 10-1-17).

309. Except on medical certificate or on very urgent private affairs, Furlough or Special leave may not be granted to any member of the Indian Civil Service, or to any Military officer whether subject to the Civil or Military Leave Rules, or to any other officer who is, if employed in Oudh, the Central Provinces, Burma, Assam, Ajmer, Coorg or Berar, a member of the Commission, or who is, if employed elsewhere, the holder of an office corresponding to that of a member of a Commission, if one-fifth of all the officers of a Commission or of all officers holding appointments similar to those of members of a Commission, as the case may be, are already absent on Furlough or Special leave, or study leave in the case of officers of the Indian Medical Service.

310. (a) If, under the operation of proviso (v), Article 308, the applications for Furlough (including those under Article 232) cannot all be complied with, Furlough will be granted in the following order —

First—To the applicant to whom the most Furlough is due ;

Secondly—Of two or more applicants to whom the same amount is due ; to him who has rendered longest Continuous Active Service ;

Thirdly—Of two or more such applicants who have rendered the same Continuous Active Service—to the Senior.

(b) This Article refers to applications registered for a Furlough not yet vacant The order of date in which such applications are made has no significance. The Article cannot affect applications made for a Furlough already vacant unless they happen to arrive by the same post.

311. To an officer who has not rendered three years' Continuous Service, Furlough may be granted on medical certificate as follows :—

(a) if the Furlough due exceeds a year—to the extent due, not exceeding two years ;

(b) if the furlough due does not exceed a year—for not more than one year.

Extension of Furlough.

312. (a) Furlough *granted under Article* 308 may, on medical certificate, be extended to not more than three years.

(b) Furlough granted under Article 311 for less than two years under clause (a), or less than one year under *clause (b), may, on medical certificate*, be extended to the extent of the Furlough due to the officer, not exceeding two years, or to one year, respectively.

Ordinary Furlough.

313. Ordinary Furlough can, under no circumstances, extend beyond two years at one time ; it includes—

(i) the first two years of each separate period of Furlough under Article 308, including any extension under Article 312 (a) ;

(ii) so much of Furlough under Article 311, including any extension under Article 312 (b), as may be due.

Leave Allowances.

314. An officer on ordinary Furlough is entitled to a leave allowance equal to half his average salary, subject to the following limits :—

(a) In the case of a member of the Indian Civil Service—

(i) if paid at the Home Treasury of the Government of India, maximum £1,000 a year and minimum £500 a year, or the salary last drawn by him on duty, whichever is less ;

(ii) if paid in India, maximum Rs 833⅓ a month and minimum Rs. 416⅔ a month, or the salary last drawn by him on duty, whichever is less.

(b) In the case of a Military Officer, subject to the Civil Leave Rules, the same maxima and minima as in the case of a member of the Indian Civil Service: Provided that, during furlough added under Article 303 to the *furlough* earned under Civil Rules, the minimum shall (in the case of an officer who became subject to the Civil Leave Rules on or after the 1st April 1888) be that prescribed by the Military Rules to which an officer was subject immediately before coming under the Civil Leave Rules and that in the case of an officer of the Royal Engineers, whose case is governed *by clause (ii)* under Article 303, the minimum shall be the rate prescribed by the Leave Rules for the Indian Army, according to the length of his service for Indian pension. In the case, however, of an officer of the Royal Engineers serving under British Army Leave Rules, the minimum for so much of the furlough

credited under Article 303 (ii) as has been earned by service in Civil employment shall be at the rate of—

(1) £500 a year,—if he elected for continuous service in India before the 1st February 1898;

(2) £500 a year, or the salary last drawn by him on duty, whichever is less—if he elects to come under the Civil Leave Rules after completing 5 years' Indian Service

NOTE —[A military officer in Civil employ, who is granted furlough on medical certificate, in excess of the amount earned by him both under the civil and military rules, may be allowed the civil minimum rate of leave allowance for the period of leave enjoyed in excess of the amount so earned; but such officer must exhaust all leave that he has so earned before he can be eligible for this concession]

(c) In the case of any other officer subject to these rules—

(i) if paid at the Home Treasury of the Government of India, maximum £800 a year; no minimum except as provided in Article 320;

(ii) if paid in India, maximum Rs. $666\frac{2}{3}$ a month; no minimum, except as provided in Article 320:

Provided always that the allowances of an officer during leave shall in no case exceed his actual salary when he takes leave

1. An officer on furlough does not forfeit his past leave allowances by resigning the Service without returning to India.

315. An officer on Furlough other than ordinary is entitled—

(i) if a member of the Indian Civil S

Page 85, Article 315—

Add the following sentence to the Note under this Article:—

In cases, however, in which such allowances are paid at sterling rates, under the special orders of the Government of India, with reference to Article 862, they will be subject to the sterling limits prescribed herein.

(8th Edition—Reprint, No 4, dated the 1st April 1915)

SECTION III.—SPECIAL LEAVE.

316. Subject to the rule laid down in Article 232, special leave on urgent private affairs may be granted at any time for not more than six months:

Provided that an officer who has had Special leave must render six years' Active Service before he can again have such leave

1. Furlough under Rule XI of the Military Furlough Rules of 1868 is "Special leave" within the meaning of this proviso.

317. An officer promoted from an office, subject to the Indian Service Leave Rules, is not debarred from obtaining Special leave with allowances under the preceding Article by reason of his having had Leave on Private Affairs under the Indian Service Leave Rules which is furlough in another form.

PART III.

311. To an officer who *has not* rendered three years' Continuous Service, Furlough may be granted on medical certificate *as follows*:—

(a) if the Furlough due exceeds a year—to the extent due, *not* exceeding two years;

(b) if the furlough due does not exceed a year—for not more than one year.

Extension of Furlough.

312. (a) Furlough granted under Article 308 may, on medical certificate, be extended *to not more than three years*.

(b) Furlough granted under *Article 311 for less than* two years under clause (a), or less than one year under clause (b), may, on medical certificate, be extended to the extent of the Furlough due to the officer, not exceeding two years, or to one year, respectively.

Ordinary Furlough.

313. Ordinary Furlough can, under no circumstances, extend beyond two years at one time; it includes—

(i) the first two years of each separate period of Furlough under Article 308, *including any extension under Article 312 (a)*;

(ii) so much of Furlough under Article 311, *including any extension* under Article 312 (b), as may be due.

Leave Allowances.

314. An officer on ordinary Furlough is entitled to a leave allowance equal to half his average salary, subject to the following limits:—

(a) In the case of a member of the Indian Civil Service—

(i) if paid at the Home Treasury of the Government of India, maximum £1,000 a year and minimum £500 a year, or the salary last drawn by him on duty, whichever is less;

(ii) if paid in India, maximum Rs. *833⅓ a month* and *minimum* Rs. 416⅔ a month, or the salary last drawn by him on duty, whichever is less.

(b) In the case of a Military Officer, subject to the Civil Leave Rules, the same maxima and minima as in the case of a member of the Indian Civil Service: *Provided that*, during furlough added under Article 303 to the furlough earned under Civil Rules, the minimum shall (in the case of an officer who became subject to the Civil Leave Rules on or after the 1st April 1888) be that prescribed by the *Military Rules to which an officer was subject* immediately before coming under the Civil Leave Rules and that in the case of an officer of the Royal Engineers, whose case is governed by clause (ii) under Article 303, the minimum shall be the rate *prescribed by* the Leave Rules for the Indian Army, according to the length of his service for Indian pension. In the case, however, of an officer of the Royal Engineers serving under British Army Leave Rules, the minimum for so much of the *furlough*

credited under Article 303 (ii) as has been earned by service in Civil employment shall be at the rate of—

(1) £500 a year,—if he elected for continuous service in India before the 1st February 1898 ;

(2) £500 a year, or the salary last drawn by him on duty, whichever is less—if he elects to come under the Civil Leave Rules *after completing 5 years'* Indian *Service.*

[illegible]

for this concession.]

(c) In the case of any other officer subject to these rules—

(i) if paid at the Home Treasury of the Government of India, maximum £800 a year ; no minimum except as provided in Article 320 ;

(ii) if paid in India, maximum Rs. 666⅔ a month ; no minimum, except as provided in Article 320

Provided always that the allowances of an officer during leave shall in no case exceed his actual salary when he takes leave.

1. An officer on furlough does not forfeit his past leave allowances by resigning the Serv without returning to India

315. An officer on Furlough other than ordinary is entitled—

(i) if a member of the Indian Civil S

Page 85, Article 315—

Add the following sentence to the Note under this Article :—

In cases, however, in which such allowances are paid at sterling rates, under the special orders of the Government of India, with reference to Article 862, they will be subject to the sterling limits prescribed herein.

(5th Edition—Reprint, No 4, dated the 1st April 1915)

SECTION III.—SPECIAL LEAVE

316. Subject to the rule laid down in Article 232, special leave c urgent private affairs may be granted at any time for not more than si months :

Provided that an officer who has had Special leave must render six year Active Service before he can again have such leave.

1. Furlough under Rule XI of the Military Furlough Rules of 1868 is " Special leave " withi the meaning of this proviso

317. An officer promoted from an office, subject to the Indian Servic Leave Rules, is not debarred from obtaining Special leave with allowance under the preceding Article by reason of his having had Leave on Private Affai under the Indian Service Leave Rules which is furlough in another form.

Leave Allowances.

318. (*a*) *For the first six months for which* an officer is on Special leave, whether the six months be included in the same leave or not, he is entitled to the leave allowance admissible under Article 314. Thereafter, he is entitled to no leave allowance.

(*b*) An officer on Special leave does not forfeit his past leave allowances by resigning the Service without returning to India

319. [illegible]

minimum of £250 a year. The title to this allowance is not affected by any leave previously taken under Rule XI of the Rules of 1868.

SECTION IV.—MINIMUM LEAVE ALLOWANCE.

320. The leave allowances of an officer of the classes referred to in Article 314 (*c*) if on leave out of India (except in Ceylon or the Straits Settlements) are subject to the following minima :—

(*a*) if the leave is furlough on Medical Certificate under Article 308 (*a*) or *Article 311*, or

(*b*) if the leave, although not Furlough on Medical Certificate under Article 308 (*a*) or Article 311, has been granted on account of ill-health.

On ordinary Furlough or Special leave—

When paid in England . .	£200 a year, or ⅗ths of the salary last drawn on duty, whichever is less.
When paid in India	Rs 166⅔ a month, or ⅗ths of the salary last drawn on duty, whichever is less.

On Furlough other than ordinary—

When paid in England	£100 a year, or 37½ per cent of the salary last drawn on duty, whichever is less
When paid in India	Rs 83⅓ a month, or 37½ per cent of the salary last drawn on duty, whichever is less

NOTE.—[The benefit of this Article is admissible only *in cases in which a Medical certificate* in the form prescribed in Chapter XLIV recommends leave out of India, or in which leave (except Extraordinary Leave without allowances) spent out of India, whether so recommended or not, is extended on Medical Certificate or commuted into Furlough on Medical Certificate]

SECTION V.—SUBSIDIARY LEAVE

321. (*a*) Subsidiary Leave is the time allowed—

(i) to an officer leaving India, on retiring from the service, or on Furlough or Special leave, to break up his domestic establishment and travel to the port of embarkation, and

(ii) to an officer returning to India from Furlough or Special leave to travel from the port of debarkation and reorganise his domestic establishment.

No subsidiary leave is admissible to an officer who does not leave India by sea.

(b) Subsidiary leave granted to an officer preparatory to retirement ceases when he actually resigns the service.

1 An officer, serving in Persia or Turkish Arabia, reckons Subsidiary leave to or from the port or frontier town by which he leaves or returns to the country. The date of departure or return must be certified by the British Consul or, if there be no British Consul, by the officer himself.

2. An officer either of the Persian or the Persian Gulf Section of the Indo-European Telegraph Department, who practically has to go on or return from leave by an Indian port, whether it be Karachi or Bombay, may reckon Subsidiary leave to or from such port.

322. (a) The grant to an officer leaving India—

(i) of permission to retire from the service, or

(ii) of Furlough or Special leave out of India,

carries with it the grant of Subsidiary leave. But Subsidiary leave is admissible only at the end and not at the beginning of leave out of India when such leave is combined with Privilege leave under Article 233.

(b) An officer returning to India, without the permission of the authority which granted him leave, more than fourteen days before the end of his Furlough or Special leave, is not entitled to Subsidiary leave, save under the special orders of the Local Government.

Leave in and out of India.

323. (a) An officer (including a Military officer subject to the Military Leave Rules) may take Furlough or Special leave partly in and partly out of India. But Subsidiary leave is not admissible unless the Furlough or Special leave begins or, as the case may be, ends, as Furlough or Special leave out of India.

(b) If an officer going on Furlough or Special leave out of India is prevented by sickness or other reasons not within his own control,—such, for example, as the postponement of the departure of the vessel in which his passage is engaged,—from embarking within his Subsidiary leave, the Local Government may order that his Furlough or Special leave shall begin in India at the end of the Subsidiary leave otherwise admissible, without forfeiture of his Subsidiary leave.

Period admissible.

324. The minimum Subsidiary leave is ten days; otherwise Subsidiary leave is calculated according to the rules and restrictions laid down in Chapter IX for "Joining Time."

Leave Allowances.

318. (*a*) For the first six months for which an officer is on Special leave, whether the six months be included in the same leave or not, he is entitled to the leave allowance admissible under Article 314. Thereafter, he is entitled *to no* leave allowance.

(*b*) An officer on Special leave does not forfeit his past leave allowances by resigning the Service without returning to India.

319. A Military Officer in Civil employ, subject to the Furlough Rules of 1868, is entitled, during the first six months of Special leave under Article 316, to an allowance of half average salary, subject to a maximum of £1,000 and a minimum of £250 a year. The title to this allowance is not affected by any leave previously taken under Rule XI of the Rules of 1868.

SECTION IV.—MINIMUM LEAVE ALLOWANCE.

320. *The leave allowances of an officer of the classes referred to in Article* 314 (*c*) if on leave out of India (except in Ceylon or the Straits Settlements) are subject to the following minima :—

(*a*) if the leave is furlough on Medical Certificate under Article 308 (*a*) or *Article 311,* or

(*b*) if the leave, although not Furlough on Medical Certificate under Article 308 (*a*) or Article 311, has been granted on account of ill-health.

On ordinary Furlough or Special leave—

When paid in England . . .	£200 a year, or ¾ths of the salary last drawn on duty, whichever is less.
When paid in India	Rs. 166⅔ a month, or ¾ths of the salary last drawn on duty, whichever is less.

On Furlough other than ordinary—

When paid in England	£100 a year, or 37½ per cent. of the salary last drawn on duty, whichever is less.
When paid in India	Rs 83⅓ a month, or 37½ per cent. of the salary last drawn *on duty*, whichever is less

[illegible] which a Medical certificate [illegible]

SECTION V.—SUBSIDIARY LEAVE.

321. (*a*) Subsidiary Leave is the time allowed—

(i) to an officer leaving India, on retiring from the service, or on Furlough or Special leave, to break up his domestic establishment and travel to the port of embarkation, and

(*d*) If the officer has been absent on extraordinary leave the duration of which exceeds a fortnight, or has, under Article 229, ceased to have a lien on a substantive appointment—

(i) in the case of a member of the Indian Civil Service or a Military Officer subject to the Civil Leave Rules—subsistence allowance, and

(ii) in the case of any other officer subject to this Article—no allowance.

(*e*) If the leave be preparatory to retirement—the allowances which would be admissible if the officer were proceeding on leave of such description as may be admissible to him; and if no leave is admissible—subsistence allowance only.

331. An officer may draw allowances as if he were on Privilege leave for any part of his Subsidiary leave under clause (i) of Article 321 (*a*) for which, if he were not retiring from the service or going on Furlough or Special leave, Privilege leave may be admissible to him It is to be observed that an officer who has no lien on an appointment cannot benefit by this rule (*See Article 263.*)

NOTE.—[This Article will have no application in cases in which Privilege leave is combined with other leave under Article 233, as Subsidiary leave is not then admissible.] [*See Article 322 (a)*]

SECTION VI —EXTRAORDINARY LEAVE

332. Subject always to the provisions of any Statute applicable to the case, the Local Government (or, if the officer be on Furlough or Special leave in Europe, the Secretary of State) may, in special circumstances and when no other kind of leave is by rule admissible, grant leave of absence from duty otherwise than under these Regulations: Provided that—

(i) [illegible]

opinion of the Local Government are such as to justify the concession. No officer is *entitled* to Extraordinary leave,

(ii) an officer absent from duty on leave so granted shall receive no absentee allowance, and

(iii) if he is a member of the Indian Civil Service or a Military officer subject to the Civil Leave Rules, he shall retain no lien upon any office except when Extraordinary leave, not exceeding a fortnight, is granted in continuation of other leave. [See clause (*d*) of Article 330.]

1. In cases in which the duration of the Extraordinary leave to be granted does not exceed two months, the Local Government may dispense with the condition in this Article that leave can be granted only when no other kind of leave is by rule admissible.

NOTE —[This Article does not refer to casual leave for short periods. Such leave [illegible] recognised and is not subject to any rule. Technically, therefore, an officer on [illegible]

PART

treated as absent from duty, and his salary is not intermitted. Casual leave, however, must not be given so as to cause evasion of the rules regarding—

(i) Date of reckoning allowances
(ii) Charge of office (see Articles 52 to 55),
(iii) Commencement and end of leave
(iv) Return to duty (see Articles 220 to 231),

or so as to extend the term of Privilege or other leave beyond the time admissible by rule.]

Explanation.—This Note is not to be read as precluding the treatment as casual leave, of [illegible]

When, however, absence from duty, for reasons of the nature above indicated, exceeds the period which may reasonably be treated as casual leave under the discretion vested in the head of the office, the case should be dealt with as follows :—

(1) If the person concerned has further leave due to him carrying the same allowances as the leave already granted, he will be required to take an extension of leave to cover his further absence from duty.

(2) If the further absence from duty cannot be covered in this way, the period, or such part of it as remains uncovered, will be treated as leave without allowances, unless the person concerned prefers to substitute leave of another description for that which he has previously taken

333. A Military officer subject to the Civil Leave Rules, who has exhausted the full period of Furlough admissible to him under these Regulations, and who is granted Extraordinary leave on medical certificate, will continue to be treated as wholly in Civil employ for all purposes, with the exception that, if the Medical Board at the India Office report that there is no prospect of the officer returning to duty within a reasonable period, he will be placed on Military half pay If an officer thus placed on half pay is afterwards permitted to revert to the effective list and returns to duty in India, he will not be entitled to be reinstated in Civil employment, but will be posted to Civil or Military duty as may be decided in India.

Chapter XIV.—Long Leave—Indian Services.

SECTION I.—EXTENT OF APPLICATION.

334. The rules in this Chapter apply to all officers who are not entitled to leave under the other Chapters of these Regulations. They apply *fully* only to those officers whose pay is *not less* than Rs. 100 a month, and who have substantive appointments on permanent establishment under the Government.

335. (*a*) Leave may, however, be granted under this Chapter to an officer (whether he be a superior or an inferior servant) whose pay is less than Rs. 100, so far as it can be done without imposing any cost upon the State. The absentee allowance of the substantive incumbent must not exceed what remains from his pay after provision is made for the efficient discharge of his duties during his absence, except when, in the resultant acting arrangements, an

officer who has no substantive appointment is given more than half the pay of the appointment in which he acts, in which case the excess over half pay granted to him may, at the discretion of the Local Government, be disregarded altogether in calculating the sum available for the leave allowance of the absentee and the acting allowances paid in consequence of his absence.

1. The Local Government may delegate its power under this clause to Heads of Offices and De‑ ‑tments

‑ leave in excess of the leave admissible under these rules may to such an officer, with allowances, or counting as service for

‑olding an appointment on a Progressive pay, rising to a maximum of Rs 100, ‑of the maximum pay, is not to be treated as an officer whose pay is less than

‑cessary to bring an officer from a distance to act for an officer on leave 100, the travelling allowances and transit pay admissible to the sub‑ State; but such a transfer should never be made if it can be avoided. ‑nce during long leave of a Naib Tahsildar in the United Provinces, ‑th.

‑ION II.—LONG LEAVE.

‑n Medical Certificate.

336. ‑ificate may be granted for three years in all, but n‑ ‑rs at one time; and no officer can have Leave on M‑ ‑ndia more than twice.

1. An office‑ ‑iating appointment only may be allowed leave under this Article ‑hs, if no substitute is required, or if his duties can be provided for

‑ Affairs.

337. Leave on ‑ months may be granted to an officer who has not ha‑ ‑ears' service, and repeated after intervals of six years

1. Leave on Private Affai‑ ‑annot be taken in instalments.
2. Leave on Medical Certific‑ ‑ve on Private Affairs

338. Furlough may be gra‑

(a) After ten years' service— ‑eriod, and thereafter at intervals of not less than eigh‑ ‑ch other period as together with all periods already spe‑ exceed two years; or,

(b) After eighteen years' service— ‑ less period; and thereafter, at intervals of not less tha‑ ‑, any such period as together with all periods already spent on F‑ may not exceed two years:

Provided that—

(i) The service for Furlough of an officer who has had Leave on Private Affairs counts only from the date of his last return from such leave;

‑ART III.

retirement, granted to such an officer before the date on which he attains the age of fifty-five years, ceases to have effect on this date.

return to duty.]

SECTION III.—SUBSIDIARY LEAVE.

346. An officer going on, or returning from, Leave out of India on Medical Certificate, Leave on Private Affairs, or Furlough, is entitled to Subsidiary

NOTE.—[When Privilege leave is combined with other leave under Article 233, Subsidiary leave is not admissible to an officer going on leave.]

347. Subsidiary leave on half pay for not more than fourteen days may be granted to an officer leaving India by sea on retirement, provided that the grant causes no additional expense to the State.

348. *(a) An officer on Subsidiary leave prefixed to other leave is entitled* to half average salary. But he may draw allowances as if he were on Privilege leave, for any part of this leave for which, if he were not going on Leave out of India, Privilege leave would be admissible.

NOTE.—[See Note under Article 331.]

(*b*) An officer on Subsidiary leave following other leave is entitled to half or quarter average salary, according to the rate of allowance to which he is entitled at the end of the leave to which it is subsidiary.

PART IV.—ORDINARY PENSIONS.

GENERAL ARRANGEMENT.

PART IV.—ORDINARY PENSIONS.

Chapter XV.—General Rules.

SECTION I.—EXTENT OF APPLICATION.

348A. Every pension shall be held to have been granted subject to the conditions contained in Chapter XXI

349. The conditions of service of officers of the following classes include special rules for pension which are laid down in the chapters noted against each, *viz.* :—

(*a*) Judges of the High Courts (see Chapter XXIII)
(*b*) Barristers holding the appointments specified in Article 547 (see Chapter XXIV).
(*c*) Members of the Indian Civil Service (see Chapter XXV).
(*d*) Statutory Civil Servants (see Chapter XXVI).
(*e*) Ecclesiastical Officers (see Chapter XXVII)
(*f*) Civil Engineers and Telegraph Officers (see Chapter XXX)
(*g*) Staté Railway Establishments (see Chapter XXXII)
(*h*) Bengal Covenanted Pilots (see Chapter XXXIII)
(*i*) Police Officers drawing less than Rs 20 a month (see Chapter XX).
(*j*) Port Blair Police (see Chapter XXXIV)
(*k*) Army Veterinary Officers of the Civil Veterinary Department (see Chapter XXIX)
(*l*) Burma Military Police (see Chapter XXXVII)

350. The pensions of all other officers are regulated by the rules in this Part . Provided that it is open to a Local Government to rule that the service of any class of officers serving under it does not qualify for pension

1 Service in Dāk Bungalow and District Garden Establishments does not qualify.
2 The service of a Patwari, whether appointed before or after the abolition of the Patwari or Village Officers' Cesses and Funds, does not qualify in any case in which it did not qualify prior to that abolition

351. Future good conduct is an implied condition of every grant of a pension. The Local Government, the Government of India and the Secretary of State in Council reserve to themselves the right of withholding or withdrawing a pension or any part of it, if the pensioner be convicted of serious crime or be guilty of grave misconduct

The decision of the Secretary of State in Council on any question of withholding or withdrawing the whole or any part of a pension under this Regulation shall be final and conclusive.

NOTE —[This rule is applicable to all the officers enumerated in Article 349 except Judges of the High Courts, Bishops, Army Veterinary Officers of the Civil Veterinary Department and members of the Civil Service appointed before 16th January 1904

SECTION II.—CASES IN WHICH CLAIMS ARE INADMISSIBLE.

352. In the following cases no claim to pension is admitted :—

specified limit of time or duty ; but a month's notice of discharge should be given to such a person, and his wages must be paid for any period by which such notice falls short of a month.

(c) When a person's whole time is not retained for the public service, but he is merely paid for work done for the State.

1. This clause applies, among others, to the following officers :—Advocate General, Solicitor to Government, Government Pleaders and Law Officers not debarred from private practice, Sheriffs in Presidency towns, Coroners, Roman Catholic Priests.

(d) When a public servant holds some other pensionable office, he earns no pension in respect of an office of the kind mentioned in clause (c) or in respect of duties paid for by a Local Allowance.

(e) When an officer serves under a covenant which contains no stipulation regarding pension, unless the Government of India specially authorises an officer to count such service towards pension.

executed.'

"Covenants with mechanics and others engaged for service in India will accordingly in future be prepared containing provisions to the effect recommended by your Government."]

Misconduct or Inefficiency.

353. Save as provided below, pension may not be granted to an officer whom it is desired to remove for misconduct, insolvency, or inefficiency.

Government of India en they are deserving

(1) No allowance to be granted to an officer appointed in England or to one whose pay exceeds Rs. 250 a month.

(2) The allowance not to exceed two-thirds of the pension that would have been admissible if the officer had retired on medical certificate.

Claims of Widow.

354. (a) It being the duty of every Government officer himself to provide for his family, the Government recognises no claim by a widow on account of

No. 220.

Page 98. Article 353-A.

Substitute the following for this Article :—

Unfitness for Further Advancement.

353-A. When an officer, belonging to one of the following services, who is proved to be unfit for further advancement, is removed from service by the Secretary of State on the recommendation of the Local Government and the Government of India, he may, with the sanction of the Secretary of State, be granted a pension not usually exceeding, and not necessarily so great as, that which would have been admissible to the officer if he had been invalided on medical certificate. In making their recommendations in such cases, the Government of India and the Local Government will be guided by the circumstances of each case and are not debarred from proposing, if the circumstances justify it, a pension lower or (in exceptional cases) higher in amount than that which would be admissible to the officer if he was invalided on medical certificate :—

(a) The Indian Civil Service.
(b) The Indian Political Department.
(c) The Indian Finance Department (General List, including the Public Works List).
(d) The Imperial Police Service.
(e) The Imperial Customs Service.
(f) The Post Office of India and the Indian Telegraph Department.
(g) The Geological Survey of India.

Second.—The employment must be substantive and permanent.

Third.—The service must be paid by Government.

These three conditions are fully explained in the following Section

SECTION II.—FIRST CONDITION.

Service under Government.

362. The service of an officer does not qualify unless he is appointed and his duties and pay are regulated by the Government, or under conditions determined by the Government The following are examples of officers excluded from pension by this Article :—

(1) A Marine Officer paid by fees fixed by the Board of Trade ,
(2) Officers of a Municipality ;
(3) Officers of Grant-in-aid Schools and Institutions (*e g*, the Asiatic Society and Canning College at Lucknow) ,
(4) Subordinates appointed by Treasurers on their own responsibility, *e g* , Tahvildars in the Province of Agra and in the Central Provinces ; and Potdars (money-testers) in Bengal

363. As an exception to the preceding Article, the services of Subordinates of Treasurers in the Punjab, including Tahvildars and Potdars (money-testers), who were in employ on the 23rd August 1886, qualify, provided that they were—

(i) appointed by District Officers ,
(ii) discharging duties and receiving pay *regulated under conditions* laid down by Government , and
(iii) other than mere servants of Treasurers liable to be removed whenever a change might take place in the incumbency of the office of a Treasurer

364. The service of a Native Accountant appointed to a Silladar Regiment in the Bombay Presidency on or after the 6th February 1875 does not qualify.

Service paid from Contract Allowances.

365. Service on an establishment paid from a Contract Establishment allowance, with the detailed distribution of which the Government does not

interfere, does not qualify, whether such contract allowance is a fixed amount or consists of fees.

NOTE.—[The maximum Establishment allowance for Registration offices in Bengal is not a Contract allowance within the meaning of this Article.]

366. Service on an establishment paid from the Household allowance of the Viceroy, or of a Governor, or Lieutenant-Governor does not qualify.

1 If an officer has served partly (in a capacity which would have given him claim to [illegible]

[illegible]

from the General Revenues a maximum pension of Rs 2 a month [illegible]

Service under an Employer other than Government.

367. In the following cases service under an employer to whose position Government has succeeded qualifies :—

(*a*) Service rendered to a Native State, and continued to the British Government on the lapse or annexation of the State, when old age or infirmity renders the officer a fit object for pension.

(*b*) Service in the establishment employed in the Khelat territory for the assessment and collection of water-rate on lands watered by the Sind Canal which was paid in part by the Khan of Khelat prior to the levy of a local cess to meet the charge.

SECTION III.—SECOND CONDITION.

General Principles.

368. Service does not qualify unless the officer holds a substantive office on a permanent establishment; but upon such conditions as it may think fit in each case to impose, the Local Government may allow temporary service to count for pension, if the pension does not exceed ten rupees a month.

369. An establishment, the duties of which are not continuous, but are limited to certain fixed periods in each year, is not a temporary establishment. Service in such an establishment, including the period during which the establishment is not employed, qualifies; but the concession of counting as service the period during which the establishment is not employed does not apply to an officer who was not on actual duty when the establishment was discharged, after completion of its work, or to an officer who was not on actual duty on the first day on which the establishment was again re-employed.

370. An officer transferred from a temporary to a permanent appointment can count his service in the temporary office, if, though at first created experimentally or temporarily, it eventually becomes permanent.

371. An officer without a substantive appointment officiating in an office which is vacant, or the permanent incumbent of which does not draw any part of the pay or count service, may, if he is confirmed without interruption in his service, count his officiating service.

Apprentices and Probationers.

372. Service as an apprentice does not qualify, except in the following cases :—

s and Rail-

373. The service of a probationer who holds a substantive office and draws substantive pay qualifies. So does that of an officer who is on probation for a substantive office, if he is employed in a vacancy reserved for him, pending probation, and in which no other officer simultaneously counts service.

374. Police probationers and temporary and officiating Assistant Superintendents of Police in all Provinces count their service as follows :—

(1) If recruited in England—from the date on which they report their arrival in India.

(2) If recruited in India under the orders in Secretary of State's despatch No 14, dated the 15th March 1891—from the date of assuming charge of their appointments.

(3) If recruited in India before the date of the orders of 1894 mentioned in (2) above—from the date either of attaining the age of 20 years or of assuming charge of their appointments, [redacted]ontinuous.

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(b) Departmental examinations have been fully passed; and

(c) The age of twenty years has been attained.

NOTE 1.—[The above conditions do not apply to Deputy Collectors and Sub-Deputy Collectors who began service in the Settlement Department on a temporary footing and were ... puty ... ount ... the

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Permanent Officer deputed.

376. An officer on a permanent establishment detached on temporary duty, on the understanding that, when the temporary duty ceases, he will return to the permanent establishment, counts his detached service.

377. The preceding Article permits the temporary suspension of the second condition of qualifying service which forms the subject of this Section; it does not authorise any relaxation of the first condition (Section II), or the third condition (Section IV), and, in particular, must not be understood to countenance any modification of the rules in Part VII, which apply to an officer on Foreign Service.

378. Service as Private Secretary to the Governor-General, a Governor or a Lieutenant-Governor, qualifies, provided that the officer belonged, before his appointment as Private Secretary, to the Civil Service of Government, whether the Indian Civil Service or not.

Substantive Office abolished.

379. If the substantive office of an officer is abolished within the meaning of Article 426, but the officer is, at the time, on special duty, or is, on abolition of his office deputed on special duty, his service on special duty qualifies, but the duty must be *special*; mere employment, in continuation of permanent employment, in a temporary appointment which happens at the time to be vacant, does not qualify.

1. The service of an officer of the Marine Service continues to qualify when, upon the abolition of his appointment, he is retained on subsistence allowance or in an acting appointment.

Piece-work.

380. A Press servant, who is paid for piece-work, is treated as having held a substantive office, if—

(i) he is employed, not casually, but as a member of a fixed establishment, and

(ii) during the last seventy-two months of his actual employment he has been attached to one office uninterruptedly for twenty-four months, or it has not been through his own choice or misconduct that he has not been so attached.

Surveys and Settlements.

381. (*a*) The service of an officer not merely temporarily engaged in the undermentioned Settlement and Survey Departments which are (or were) on a *quasi*-permanent footing qualifies :—

The Settlement Departments in Madras, Burma, the Punjab and the Central Provinces and Berar The Revenue Survey Departments in Bengal, Madras and Bombay The establishments of the Inam Commissioners of Madras and Bombay The Alienation Settlement Department in Bombay. The Malabar Escheat Establishment, Madras

(*b*) Except in the regular Departments and to the extent above specified, Settlement and Survey service does not count unless it is followed, without interruption, by qualifying Service Settlement Service followed, without interruption, by pensionable service paid from a Patwari Fund also qualifies

NOTE 1 —[From the dates mentioned, the following posts have been declared to be on a *quasi*-permanent footing :—

(*a*) In a Settlement Office in the United Provinces from 1st October 1899—

Head and Second Clerk	Settlement Officer's Reader
Sadr Munsarim	Nazir and Record-keeper

(*b*) In the Settlement Establishment in Baluchistan from 1st September 1904—

[illegible]

which the incumbents on 1st October 1899 or 1st September 1904 (as the case may be) may have been serving substantively and without interruption in one or other of them]

NOTE 2 —[Continuous service as Inspector, Surveyor, Holding Marker, Draughtsman, Computor and Clerk belonging to Special and Revision Survey parties in Burma qualifies]

382. Deputy Collectors and similar gazetted officers, when not especially employed for temporary work, are not affected by the preceding article, as they count service independently of the particular department to which they happen for the time to be attached

Exception.

383. A Medical Officer in charge of a Government vessel may count his service afloat, if he is transferred, without interruption of his service, to the Civil Medical Service.

384. Officers transferred from the Extra or Contingent List of the Customs Preventive Service in Burma or in Calcutta count their service on that list, provided the Collector declares that the transfer is made on the ground of good service rendered.

SECTION IV.—THIRD CONDITION.

Sources of Remuneration.

385. Service which satisfies the conditions prescribed in Sections II and III qualifies, or does not qualify, according to the source from which it is paid ; with reference to this Article, service is classified as follows :—

(*a*) Paid from the General Revenues.

PART IV.

NOTE 1.—[The above conditions do not apply to Deputy Collectors and Sub-Deputy Collectors who began service in the Settlement Department on a temporary footing and were promoted to be probationary officiating or sub *pro tempore* Deputy Collectors or Sub-Deputy Collectors in the provincial and subordinate civil services. Such officers are allowed to count the whole of their continuous service for pension from the date of their first appointment in the Settlement Department.]

NOTE 2.—[Condition (*b*) does not apply to Sub-Deputy Collectors in Bengal and Bihar and Orissa who were appointed before the 4th July 1892, and exempted from the operation of the rules for Departmental Examinations laid down in Resolution No. 3111-A. of the Government of Bengal, dated the 4th July 1892.]

NOTE 3.—[Sub-Deputy Collectors in Bengal and Bihar and Orissa who were appointed [illegible]

Permanent Officer deputed.

376. An officer on a permanent establishment detached on temporary duty, on the understanding that, when the temporary duty ceases, he will return to the permanent establishment, counts his detached service.

377. The preceding Article permits the temporary suspension of the second condition of qualifying service which forms the subject of this Section, it does not authorise any relaxation of the first condition (Section II), or the third condition (Section IV), and, in particular, must not be understood to countenance any modification of the rules in Part VII, which apply to an officer on Foreign Service.

378. Service as Private Secretary to the Governor-General, a Governor or a Lieutenant-Governor, qualifies, provided that the officer belonged, before his appointment as Private Secretary, to the Civil Service of Government, whether the Indian Civil Service or not.

Substantive Office abolished.

379. If the substantive office of an officer is abolished within the meaning of Article 426, but the officer is, at the time, on special duty, or is, on abolition of his office deputed on special duty, his service on special duty qualifies, but the duty must be *special;* mere employment, in continuation of permanent employment, in a temporary appointment which happens at the time to be vacant, does not qualify.

1. *The service of an officer of the Marine Service continues to qualify when, upon the* abolition of his appointment, he is retained on subsistence allowance or in an acting appointment.

Piece-work.

380. A Press servant, who is paid for piece-work, is treated as having held a substantive office, if—

(i) he is employed, not casually, but as a member of a fixed establishment; and

(ii) during the last seventy-two months of his actual employment he has been attached to one office uninterruptedly for twenty-four months, or it has not been through his own choice or misconduct that he has not been so attached.

Surveys and Settlements.

381. (*a*) The service of an officer not merely temporarily engaged in the undermentioned Settlement and Survey Departments which are (or were) on a *quasi*-permanent footing qualifies .—

The Settlement Departments in Madras, Burma, the Punjab and the Central Provinces and Berar The Revenue Survey Departments in Bengal, Madras and Bombay. The establishments of the Inam Commissioners of Madras and Bombay. The Alienation Settlement Department in Bombay. The Malabar Escheat Establishment, Madras

(*b*) Except in the regular Departments and to the extent above specified, Settlement and Survey service does not count unless it is followed, without interruption, by qualifying Service. Settlement Service followed, without interruption, by pensionable service paid from a Patwari Fund also qualifies.

NOTE 1.—[From the dates mentioned, the following posts have been declared to be on a *quasi*-permanent footing .—

(*a*) In a Settlement Office in the United Provinces from 1st October 1899—

Head and Second Clerk	Settlement Officer's Reader
Sadr Munsarim	Nazir and Record-keeper

(*b*) In the Settlement Establishment in Baluchistan from 1st September 1904—

Superintendent (pay Rs 150), 1 P[illegible]
Superintendent (pay Rs 75), [illegible]
(pay Rs 40 each), 1 Head C[illegible]
1 Copyist (pay Rs 50), 1 Sa[illegible]
missioner (pay Rs 65), 1 [illegible]
1 Sarishtadar to Settlement S[illegible]
ment Superintendent (pay Rs 30)

Service in these posts qualifies from the dates mentioned or from any previous date from which the incumbents on 1st October 1899 or 1st September 1904 (as the case may be) may have been serving substantively and without interruption in one or other of them.]

NOTE 2—[Continuous service as Inspector, Surveyor, Holding Marker, Draughtsman, Computor and Clerk belonging to Special and Revision Survey parties in Burma qualifies]

382. Deputy Collectors and similar gazetted officers, when not especially employed for temporary work, are not affected by the preceding article, as they count service independently of the particular department to which they happen for the time to be attached

Exception.

383. A Medical Officer in charge of a Government vessel may count his service afloat, if he is transferred, without interruption of his service, to the Civil Medical Service.

384. Officers transferred from the Extra or Contingent List of the Customs Preventive Service in Burma or in Calcutta count their service on that list, provided the Collector declares that the transfer is made on the ground of good service rendered.

SECTION IV—THIRD CONDITION.

Sources of Remuneration.

385. Service which satisfies the conditions prescribed in Sections II and III qualifies, or does not qualify, according to the source from which it is paid ; with reference to this Article, service is classified as follows :—

(*a*) Paid from the General Revenues.

(*b*) Paid from Local Funds.
(*c*) Paid from Funds in respect to which the Government holds the position of Trustee.
(*d*) Paid by Fees levied by law, or under the authority of the Government, or by Commission.
(*e*) Paid by the Grant, *in accordance with law or custom, of a tenure* in land, or of any source of income, or right to collect money.

General Revenues.

386. *Service paid from the General Revenues qualifies.* The fact that arrangements are made for the recovery, on the part of the Government, of the whole, or part, of the cost of an establishment or officer, does not affect the operation of this principle: Provided that the establishment or officer is appointed, controlled, and paid by the Government.

... it should not ... that of leave ... heir establish- ... es is provided

(*b*) The establishment of the Hughly College and Collegiate Schools while the cost thereof ... College and High School ... y, a portion of the ... n the old system ... ntributions. The ... ch is paid in part ... aid for by private companies.

(*f*) When Police officers are entertained at the cost of individuals and corporate bodies, an additional charge of one-sixth of the pay of officers whose pay is not less than Rs. 100 a month, and of one-twelfth of the pay of others, must be defrayed by the persons for whose benefit the officers are employed; Provided always that the additional charge shall not be made ... their ... General.

(*h*) The office establishment of the Health Officer of the Port of Bombay and the crew of the boat placed at the disposal of that officer, a portion of whose pay is paid by the Bombay Port Trust.

(*i*) Certain additions to the Government establishments in the Bombay Presidency, *e.g.*, the *Accountant-General, Commissioners, Surgeon-General*, Bombay, Surgeon-Colonel in Sind, Inspectors of Schools, etc., the cost of which is met from the General (Provincial) Revenues which are recouped by recoveries from the several Local Funds concerned.

387. The service of members of office establishments in the Railway Police in Bombay, who are wholly paid by the Railway Companies, qualifies.

388. Service which was paid wholly or partly from the Revenues of Berar before 1st October 1902 qualifies for pension from General Revenues.

389. (*a*) In the case of officers who, having no status in the service of the British Government, apart from their particular employment in Mysore, were employed in Mysore and transferred to the British service proper before

1st October 1882, the pensions granted are charged according to the Rule of Proportions.

(b) Pensions for service in Mysore prior to 1st October 1882 of officers who had a status in the service of the British Government apart from their particular employment in Mysore, are paid wholly from British Revenues.

Local Funds and Trust Funds.

390. Service paid from a Local Fund qualifies, or does not qualify, according to the rules laid down in Chapter XLII.

391. Service paid from Funds which Government hold only as a Trustee, such as under a Court of Wards or in an Attached Estate, does not qualify.

No. 108.

Page 107. Article 392.

Substitute the following for rule 1 under this Article:—

Service as Official Assignee does not qualify.

(6th Edition—Reprint, No 108, dated 4-4-16)

350.

Tenures in Land, etc.

393. Service paid by the grant, in accordance with law or custom, of a tenure in land, or of any other source of income, or right to collect money, does not qualify.

394. As an exception to the preceding Article, Watandars (hereditary District Officers) and their deputies in the Kaira Collectorate and in the following talukas of the Panch Mahals, namely:—Godhra, Kalol and Dohad, and the Petás of Hálol and Jhalod, if transferred to qualifying service, count their previous service.

SECTION V.—DISTINCTION BETWEEN SUPERIOR AND INFERIOR SERVICE.

395. Qualifying service is divided into SUPERIOR and INFERIOR.

396. Service on pay not exceeding Rs. 10, and service in any office which has been graded as inferior by the rule or practice of the Local Government, is Inferior service. All other service is Superior service.

(Appendix 7A contains a list of appointments specially classed as Superior and Inferior.)

397. *Cancelled.*

No. 19.

Page 108. Article 398.

Insert the following as a Note under this Article :—

NOTE – [This Article does not apply to officers who begin service as forest guards on the in-ferior scale and subsequently rise to appointments in superior service in or above the rank of forest

No. 133.

Page 108. *Article 398.*

Cancel the Note under this Article as amended by Correction Slip No. 72, dated the 5th November 1915.

(5th Edition—Reprint, No. 133 dated 11-7-16.)

(5th Edition—Reprint, ... , dated 5-11-15)

mission of the Local Government

399. The claims of an officer, promoted from an Inferior to a Super grade as a reward for meritorious service, will be specially considered by the Government of India. This rule is to be strictly interpreted and a claim under it can be founded only on exceptional promotion made out of the ordinary course.

Exceptional Cases.

400. If an officer holds two or more offices, each of which is Inferior by reason of its pay not exceeding Rs. 10, he cannot count service as Superior, on the ground that his aggregate pay exceeds Rs. 10 unless the offices were arranged and their pay determined with the intention that they should be held by one individual.

401. The service of a postman or village postman, whatever his pay, is Superior service.

402. (*a*) When the regular duties of an officer whose pay exceeds Rs. 10, but who bears an Inferior designation, are really such as are ordinarily performed by a Superior servant, his claim to pension should be specially referred to the Local Government.

NOTE.—[It is not intended by this Article that an Inferior servant should count service as Superior in virtue of his voluntarily assisting in Superior work. It provides for the case of a person who is *engaged under due authority to do Superior work*, though with an Inferior designation.]

(*b*) On the other hand, an officer whose real duties are those of an Inferior servant, even though his pay exceeds Rs. 10, is not entitled to pension on the Superior scale merely because he draws pay under a Superior designation.

Examples.—Accountants in the Province of Agra who served under the designation of "Potdars." A Lithographic Pressman designated as a Copying Clerk.

Chapter XVII.—Rules for Reckoning Service.

SECTION I.—SPECIAL ADDITIONS

Special Appointments.

403. Subject to the restriction specified against the first five offices,

(but not for any other cla ... ber of completed years by which his age may at the ... ceeded 25 years, subject to the proviso that ... eriod which can be so added.

... When Barristers, Advocates, Solicitors, or Vakils.

... a

... ne Chief

... uras.

... Colaba Observatory.

... of the Indian Educational Service who entered that Service ... ter the 23rd July 1896

... Superintendent of the Government Museum and Principal Librarian of the Connemara Public Library, Madras

NOTE —[The extra years conceded under this Article count towards the limit of 28 years' qualifying service prescribed in Article 475, in the case of the officers mentioned in the latter rule or to whom its provisions may be specially extended]

Exception —Subsequent promotion ... of the offices enumerated in this Articl ... not less pay, does not deprive an officer ... provided that he has, when so promoted, completed not less than five years' qualifying service in one of the offices enumerated in this Article.

404. In the case of officers who were in the Education Department on 23rd July 1896, the follo ... e applies.

For the purpose of c ... the am ... nsion or ... admissible to an officer, not being a ... f Asia, ... lifying ... began after 25 years of age, and whose ... r whi ... clai ... nts to not less than ten years, and has ... ed w ... r o ... llowing offices, three years shall be ad ... he qu ... on.

1. Directors of Public
2. Inspectors of Sch
3. Principals and P ... leg
4. Head Masters of ... gh

NOTE —[The extra years co ... qualifying service prescribed in ... rule or to whom its provisions may

No. 19.

Page 108. Article 398.

Insert the following as a Note under this Article :—

NOTE.—[This Article does not apply to officers who begin service as forest guards on the inferior scale and subsequently rise to appointments in superior service in or above the rank of forest

No. 133.

Page 108. *Article 398.*

Cancel the Note under this Article as amended by Correction Slip No. 72, dated the 5th November 1915.

(5th Edition—Reprint, No 133 dated 13-7-16.)

Page. 108 Article 399.

Add the following words at the end of the first sentence of this Article :—

Or by the Local Government under whom the officer is serving.

(5th Edition—Reprint, No. 142, dated 14-8-16.)

reason of his pay not exceeding Rs. 10, he cannot count service as Superior, on the ground that his aggregate pay exceeds Rs. 10 unless the offices were arranged and their pay determined with the intention that they should be held by one individual.

401. The service of a postman or village postman, whatever his pay, is Superior service.

402. (*a*) When the regular duties of an officer whose pay exceeds Rs. 10, but who bears an Inferior designation, are really such as are ordinarily performed by a Superior servant, his claim to pension should be specially referred to the Local Government.

NOTE.—[It is not intended by this Article that an Inferior servant should count service as Superior in virtue of his voluntarily assisting in Superior work. It provides for the case of a person who is *engaged under due authority to do Superior work*, though with an Inferior designation.]

(*b*) On the other hand, an officer whose real duties are those of an Inferior servant, even though his pay exceeds Rs. 10, is not entitled to pension on the Superior scale merely because he draws pay under a Superior designation.

Examples.—Accountants in the Province of Agra who served under the designation of "Potdars." A Lithographic Pressman designated as a Copying Clerk.

PART IV.

Chapter XVII.—Rules for Reckoning Service.

SECTION I.—SPECIAL ADDITIONS.

Special Appointments.

403. Subject to the restriction specified against the first five offices, an incumbent of one of the offices enumerated below, appointed on account of professional or other special qualifications, whose whole pensionable service has been passed in one or other of such offices, shall, if appointed at an age exceeding 25, be entitled to reckon as service qualifying for superannuation pension (but not for any other class of pension) the number of completed years by which his age may at the time of appointment have exceeded 25 years, subject to the proviso that five years shall be the maximum period which can be so added.

1. Deputy Legal Remembrancer, Bengal
2. Assistant Secretary to the Bengal Legislative Council
3. *Presidency Magistrates.*
4. City Civil Judge, Madras.
5. Judges of the Small Cause Court at a Presidency Town (other than the Chief Judges) and at Rangoon.

(Items 1–5:) When Barristers, Advocates, Solicitors, or Vakils.

6. The Astronomer, Madras.
7. Director of the Colaba Observatory.
8. Members of the Indian Educational Service who entered that Service after the 23rd July 1896.
9. Superintendent of the Government Museum and Principal Librarian of the Connemara Public Library, Madras.

NOTE.—[The extra years conceded under this Article count towards the limit of 28 years' qualifying service prescribed in Article 475, in the case of the officers mentioned in the latter rule or to whom its provisions may be specially extended.]

Exception.—Subsequent promotion to an appointment which is not one of the offices enumerated in this Article, but is of similar nature and carries not less pay, does not deprive an officer of the concession prescribed above, provided that he has, when so promoted, completed not less than five years' qualifying service in one of the offices enumerated in this Article.

404. In the case of officers who were in the Education Department on 23rd July 1896, the following rule applies.

2. Inspectors of Schools.
3. Principals and Professors of Colleges.
4. Head Masters of Colleges and High Schools.

NOTE.—[The extra years conceded under this Article count towards the limit of 28 ye[illegible] qualifying service prescribed in Article 475, in the case of the officers mentioned in the [illegible] rule or to whom its provisions may be specially extended.]

405. *Omitted.*

406. *Omitted.*

SECTION II.—PERIODS OF LEAVE.

Superior Service.

407. Except as provided in Article 408, time passed on leave other Privilege leave or Subsidiary leave does not count as Superior service. passed on leave subsidiary to Leave on Medical Certificate by an officer sul to the Indian Service Leave Rules, who has twice before had Leave on Me Certificate out of India, does not count.

408. Time passed on leave with allowances counts as service as follows.

If the total service of the Officer is not less than—	He counts as service a period of leave out of India not exceeding—	He counts as service a peric of leave in India not exceeding—
15 years	1 year	1 year.
20 "	2 years.	"
25 "	3 "	"
30 "	4 "	2 years.
35 "	5 "	"

NOTE 1.—[The periods in columns 2 and 3 are not cumulative, that is, an officer may n count two years' leave in 15 years' service or more than four years' leave in thirty years' servic The maximum amount of leave both in and out of India which may be counted is that shown column 2.]

NOTE 2.—[Total service in this Article means total service reckoning from the dato commencement of service qualifying for pension and includes periods of leave.]

NOTE 3.—[For the purposes of this Article, Ceylon and the Straits Settlements are n held to be "out of India"]

409. Time passed on Departmental or Recess leave by the followir officers on half pay, or in the case of the Survey of India, on less than ha pay or without pay, provided the officers return to duty when required b their superior officers, counts :—

Subordinates of the Survey of India whose service is Superior, Lowe Subordinates of the Forest Survey and Forest Subordinates employed in th tracts mentioned in Article 295 (ii).

NOTE.—[Departmental or Recess leave granted to Tindals and others under clause (iii) c Article 295, is treated as service qualifying for pension, though it exceeds the amount admissibl under Chapter XIV.]

410. Time passed on leave obtained to be present at an examinatio which must be passed before an officer is eligible for higher subordinate appoi ments, such as Deputy Magistracies, counts—(*See Article 285*).

411. A Local Government may at its discretion decide, in the case officer (including a person in training for, but not actually appoint Government service), who is selected to undergo a course of training school, college, or other institution, whether the time spent in trainin count as service qualifying for pension.

Deputation out of India.

412. When an officer is deputed out of India on duty, the whole period of his absence from India counts. When an officer on leave out of India is employed, or is detained after the termination of his leave, on duty, the period of such employment or detention counts.

Recall to Duty.

413. Time spent on the voyage to India by an officer who is recalled to duty before the expiry of any recognised leave out of India counts, provided his return to duty is compulsory (see Article 199).

Inferior Service.

414. An Inferior servant counts leave with and without allowances not exceeding in the aggregate that which might be given with allowances under the rules in Chapters XII and XIV.

415. *Cancelled.*

SECTION III.—SUSPENSIONS, RESIGNATIONS, BREAKS, AND DEFICIENCIES IN SERVICE.

Periods of Suspension.

416. Time passed under suspension pending enquiry into conduct counts, if the suspension is immediately followed by reinstatement, but time passed under suspension adjudged as a specific penalty does not count.

417. If an officer, who has been suspended, pending enquiry into his conduct, is reinstated, but with forfeiture of any part of his allowances for the period of suspension, this period does not count (save with the special sanction of the Head of the Department), unless the authority who reinstates the officer expressly declares *at the time* that it shall count.

Resignations and Dismissals.

418. (*a*) Resignation of the public service, or removal from it for misconduct, insolvency, inefficiency not due to age, or failure to pass a prescribed examination entails forfeiture of past service.

(*b*) Resignation of an appointment to take up another appointment, service in which counts, is not a resignation of the public service.

419. Any authority who, on revision or appeal, reverses an order dismissing an officer, may declare that the officer's past service counts.

Interruptions.

420. An interruption in the service of an officer entails forfeiture of his past service, except in the following cases:—

(*a*) Authorised leave of absence.

(b) Unauthorised absence in continuation of authorised leave of absence so long as the office of the absentee is not substantively filled; if his office is substantively filled, the past service of the absentee is forfeited. Provided that, if the absentee is subsequently reinstated, the authority whose duty it is to make the appointment, within three months, or the Local Government within one year, from the end of th[illegible]

Page 112. Article 420 (b).

Cancel the proviso to this Article :—

(5th Edition—Reprint, No. 142, dated 14-8-16.)

(e) Transfer to non-qualifying service in an establishment under Government control. The transfer must be made by competent authority; an officer who voluntarily resigns qualifying service cannot claim the benefit of this exception. Transfer to a grant-in-aid school entails forfeiture. [*But see Example (c) of Article 386.*]

(f) Transfer to service on the Household establishment of the Viceroy.

(g) Time occupied in transit from one appointment to another, provided that the officer is transferred under the orders of competent authority, or, if he is a non-gazetted officer, with the consent of the head of his old office.

421. The authority who sanctions the pension may commute retrospectively periods of absence without leave into leave without allowances.

Condonation of Interruptions and Deficiencies.

422. Upon such conditions as it may think fit, in each case, to impose—

(i) The Government of India may condone all interruptions in service not exceeding twelve months in all; and the Local Government may condone all interruptions not exceeding three months in all.

(ii) If the proposed pension does not exceed fifty rupees a month, the Government of India may condone interruptions in service whatever their duration: and the Local Government may exercise the same power if the applicant for pension is serving on a Provincial Establishment; otherwise it may condone interruptions not exceeding twelve months in all.

NOTE.—[The Local Government may condone a short interruption between Settlement or Survey and subsequent qualifying service, and declare the whole to be continuous for the purposes of Article [illegible] when from the extreme shortness of the break, or from the ascertained [illegible] incorrect, as for example, in a case when even a short period of temporary service had intervened.]

423. (1) Upon any conditions which it may think fit to impose, the Government of India or, if the applicant for pension be serving on a

Provincial establishment, the Local Government, may, in all cases, condone a deficiency of 3 months in qualifying service. If the applicant for pension be serving on an Imperial establishment, the Local Government may not condone a deficiency of more than one month.

(2) (*a*) If, besides his qualifying service, an officer has rendered service

ing service not exceeding half his non-qualifying, or, as the case may be, Inferior, service, and also not exceeding twelve months in all.

(*b*) The Local Government may, if the applicant for pension is serving on an Imperial establishment, condone in these cases a deficiency not exceeding one-fourth of the officer's non-qualifying, or as the case may be,

Page 113. Article 423 A.

Cancel this Article :—

(5th Edition—Reprint, No. 142, dated 14-8-16)

Under 422 clause (i) up to two months.
Under 422 clause (ii) up to six months.
Under 423 clause (i) up to two months.

Chapter XVIII.—Conditions of Grant of Pension.

SECTION I.—CLASSIFICATION OF PENSIONS.

424. Pensions for "Superior service" are divided into four classes, the rules for which are prescribed in the following Sections of this Chapter :—

(*a*) Compensation pensions (see Section II).

(*b*) Invalid pensions (see Section III).

(*c*) Superannuation pensions (see Section IV).

(*d*) Retiring pensions (see Section V).

425. Pensions for "Inferior service" are regulated by Articles 481 to 485.

SECTION II.—COMPENSATION PENSION.

426. A compensation pension is awarded to an officer discharged ([1]) from the public service because, on a reduction of establishment, his appointment is abolished and other suitable employment cannot be found for him. An appointment, the pay of which is reduced as part of a general scheme of

revision, is abolished within the meaning of this Article. But in such case it may sometimes be cheaper to grant a personal allowance than a pension.

[illegible]

procedure was proper.

[illegible]

10th September 1879)]

427. To pension an officer still capable of useful service is a waste of public [illegible] to such an officer discharged on abolition [illegible] y considered whether he cannot be other- [illegible] partment, in forwarding an application for Compensation pension, should invariably state for what reasons it has been found impossible to provide suitable employment for the applicant.

Selection for Discharge.

428. The selection of the officers to be discharged upon the reduction of an establishment should *primâ facie* be so made that the least charge for Compensation pension will be incurred.

429. The discharge of one officer to make room for another better qualified is not the abolition of an appointment within the meaning of Article [illegible] wise it may perhaps be better to postpone the reduction of establishment or abolition of appointment.—(*See orders printed as Appendix S.*)

NOTE.—[The relaxation of the condition laid down in this Article requires the sanction of the Government of India.]

Restrictions.

430. A Deputy Collector, Munsiff, or similar officer who belongs to the public service, apart from his particular local appointments cannot obtain a Compensation pension on the abolition of a particular appointment.

431. No pension is admissible to an officer for the loss of an appointment on discharge after the completion of a specified term of service.

432. No pension may be awarded for the loss of a local allowance.

433. Schoolmasters or other officers who, in addition to their other duties, are employed in any capacity in the Postal Department, are not entitled to Compensation pension on being relieved of such duties.

Special Cases.

434. If it is necessary to discharge an officer in consequence of a change

Page 115. Article 435.

Add the following at the end of this Article :—

or of the Provincial Government' competent to abolish the appointment.

(5th Edition—Reprint, No. 142, dated 14-8-16.)

— should be given to an officer in permanent em-

Page 115. Article 436.

In the fifth line of this Article, substitute the words "with the sanction of the authority competent to dispense with the officer's services" *for the words*: "with the sanction of the Local Government." *Also omit the last sentence of the Article.*

(5th Edition—Reprint, No. 142, dated 14-8-16)

lieu of notice. The responsible officer will, however, ...
neglect on his part which may give rise to expenditure for such a gratuity

any gratuity.

2. Unless it contains an express statement to the contrary an order for the abolition of

had the notice not been given him.]

436A. Whenever it is found necessary to determine the service of an officer serving under a contract within the period of his agreement, a specific intimation of the determination of the agreement and of the grounds on which it has been determined shall be furnished to the officer in writing.

Offer of Re-employment.

437. An officer discharged with a Compensation pension may not, without surrendering his pension, refuse to accept any appointment which the Local Government thinks fit, within six months from the date of his discharge, to offer to him. The salary of such new appointments must not, however, be less than enough to raise his total receipts, under the operation of Article 514, to the amount which he receives as salary immediately before his discharge, nor

should the new appointment be such as the officer cannot reasonably and equitably be expected to accept.

438. The rule in Articles 511 and 512, *requiring the refund of a Compensation gratuity* on re-employment, applies to a gratuity awarded under Article 436, if the officer is permanently re-employed within three months from the date of notice. But the officer need not refund that proportion of his gratuity under this rule which the interval of his non-employment bears to the whole period for which the gratuity is given. If the officer is re-employed only temporarily, he need refund no part of his gratuity; but if such temporary employment is foreseen, the gratuity should be proportionately reduced.

439. Article 437 applies also to the case of an officer entitled to Compensation pension, who, upon the abolition of his own appointment, is transferred by competent authority to another appointment. To such an officer a Compensation pension may be simultaneously awarded, subject always to the limitation prescribed by Article 514.

Acceptance of new Appointment.

440. If an officer who is entitled to Compensation pension accepts instead another appointment in the public service, and subsequently becomes again entitled to receive a pension of any class, the amount of such pension shall not be less than he could have claimed if he had not accepted the appointment.

SECTION III.—INVALID PENSION.

441. An Invalid pension is awarded, on his retirement from the public service, to an officer who by bodily or mental infirmity is permanently incapacitated for the public service, or for the particular branch of it to which he belongs.

Rules regarding Medical Certificates.

[illegible] years old or up-
[illegible] fices for the head
[illegible] herwise incapacity for service must be established by a medical certificate attested as follows:—

(*a*) If the officer submitting it is on leave in England—by the Medical Board at the India Office.

[illegible] vn of a Province—by the Ad-
[illegible] by a Medical Committee over
[illegible] ıld, when practicable, preside.

(*c*) If he is an officer in Superior service, and is serving in the interior of the country under such circumstances that, in the opinion of the authority which sanctions the pension, he can be conveniently required to appear before a Medical Invaliding Committee—by such Committee.

(*d*) In other ca[illegible] may either accept a certificate [illegible] or Medical Officer in charge [illegible] Invaliding Committee at a convenient civil station.

(*e*) If the pension applied for exceeds Rs. 100 a month, a certificate by a single Medical Officer should not be accepted as sufficient, if it is possible, without undue inconvenience, to assemble an Invaliding Committee or to cause the applicant to appear before the Director-General, Indian Medical Department, or the Standing Medical Committee at the Presidency.

(*f*) Except in the case of an officer on leave in England, no medical certificate of incapacity for service may be granted unless the applicant produces a letter to show that the head of his office or department is aware of his intention to appear before the Medical Officer. The Medical Officer shall also be supplied by the head of the office or department in which the applicant is employed, with a statement of what appears from official records to be the applicant's age. Where the applicant has a service book, the age there recorded should be reported.

443. (*a*) A succinct statement of the medical case, and of the treatment adopted, should, if possible, be appended.

(*b*) If the Examining Medical Officer, although unable to discover any specific disease in the officer, considers him incapacitated for further service by general debility while still under the age of fifty-five years, he should give detailed reasons for his opinion, and, if possible, a second medical opinion should always in such a case be obtained.

(*c*) In a case of this kind, special explanation will be expected from the head of the office or department of the grounds on which it is proposed to invalid the officer

444. A simple certificate that inefficiency is due to old age or natural decay from advancing years, is not sufficient in the case of an officer whose recorded age is less than fifty-five years, but a Medical Officer is at liberty,
pacitated for further service by general
eving the age to be understated. An
under Article 478 (*a*) on the ground of
such a belief having been expressed unless it is clearly shown by the medical and other evidence that the age has been intentionally understated.—[*See clauses* (*b*) *and* (*c*) *of the preceding Article.*]

Form of Medical Certificate in England.

445. The form of the medical certificate given by the Medical Board attached to the India Office, respecting an officer applying for pension in England is as follows :—

" We have carefully examined Mr.

Taking into account all the facts of the case as well as his present condition, we consider that he is incapable of discharging the duties of his situation, and that such incapability is likely to be permanent. We therefore recommend that he be permitted to retire from the service of Government

Page 117. Article, 446.

Insert the following Note under this Article :—

NOTE.—[The Local Government may delegate its power under this Article of Departments.]

(5th Edition—Reprint, No. 142, dated 14-8-16)

Form of Medical Certificate in India.

447. (*a*) The form of the certificate to be given respecting an officer applying for pension in India is as follows :—

Certified that I (we) have carefully examined *A B*, son of *C D*, a ——— in the ——— ——— His age is by his own statement ——— years, and by appearance about ——— years. I (we) consider *A B* to be completely and permanently incapacitated for further service of any kind [or in the Department to which he belongs] in consequence of (*here state disease or cause*). His incapacity does not appear to me (us) to have been caused by irregular or intemperate habits.

NOTE.—[If the incapacity is obviously the result of intemperance, substitute for the last sentence: "In my (our) opinion, his incapacity is the result of irregular or intemperate habits."]

(*If the incapacity does not appear to be complete and permanent, the certificate should be modified accordingly and the following addition should be made* :) I am (we are) of opinion that *A B* is fit for further service of a less laborious character than that which he has been doing [or may, after resting for ——— months, be fit for further service of a less laborious character than that which he has been doing]

(*b*) The object of the alternative certificate (of partial incapacity) is that an officer should, if possible, be employed even on lower pay, so that the expense of pensioning him may be avoided. If there be no means of employing him even on lower pay, then he may be admitted to pension; but it should be considered whether, in view of his capacity for partially earning a living, it is necessary to grant to him the full pension admissible under rule The principle of Article 427 must always be carefully borne in mind.

Signallers in the Telegraph Department.

448. (*a*) In the case of Signallers in the Indian and Indo-European Telegraph Departments, the medical certificate prescribed by Article 447 may, if it is found after medical examination that it cannot be granted, be dispensed with in special cases when inefficiency is not the result of misconduct, and instead of it two certificates—

(i) one in form A signed by two superior officers of the Telegraph Department; and

(ii) the other in form B signed by the Director-General of Telegraphs —may be substituted.

FORM A. "We certify that, after a perusal of the records of *A B*'s service and of the report of his immediate superior during the last twelve months of his service, we are satisfied that he is permanently incapacitated for the duties of a Signaller in the Telegraph Department."

FORM B. "After a careful consideration of *A B*'s case, I concur with Messrs. C and *D* in thinking that he is permanently incapacitated for the

duties of a Signaller in the Telegraph Department, and accordingly recommend that he may be permitted to retire on the pension or gratuity for which he may be found eligible."

(*b*) The practice enjoined in Articles 447 (*b*) and 453 of re-employing pensioners should be carefully followed as far as practicable in these cases.

(*c*) Officers permitted to retire under this Article may be granted a pension or gratuity of only four-fifths of the amount that would be admissible for a man permanently unfit for any duty.

NOTE —[This Article applies only to men who are "Signallers," including in that term Telegraph Masters who are members of the signalling staff, when they retire]

Special Precautions in the Police.

449. District Superintendents of Police should be on their guard against endeavours to retire on Invalid pension by officers who are capable of serving longer.

450. Medical Officers should confine themselves to recommending leave to such policemen as are not likely to benefit by a further stay in hospital, and should not certify that a policeman is incapacitated for further service unless they are officially requested to report upon his incapacity for further service.

451. Medical Officers should be specially searching in their examination of the physical unfitness of every applicant for pension, and, whenever the number of applicants for pensions is large, the examination should, if possible, be conducted by two Medical Officers.

Restrictions.

452. An officer discharged on other grounds has no claim under Article 441, even although he can produce medical evidence of incapacity for service.

453. Article 427 applies, *mutatis mutandis*, in the case of an officer invalided under Article 441 as unfit for employment only in some particular branch of the public service Every effort should be made to find for such an officer other employment suited to his particular capacity.

454. If the incapacity is directly due to irregular or intemperate habits, no pension can be granted. If it has not been directly caused by such habits, but has been accelerated or aggravated by them, it will be for the authority by which the pension is grantable to decide what reduction should be made on this account

Applicant to be discharged

Pages 119—120. Article 455.

Substitute the following for the last sentence of this Article:—

Without the special orders of the authority which has power to sanction the pension, service after the date of such medical certificate does not count for pension.

(5th Edition—Reprint, No. 142, dated 14-8-16)

further special sanction of the Local Government, service after the date of a medical certificate does not count for pension.

456. The object of Article 455 is to discourage tentative applications; but an inferior servant (including in that term a Police officer whose pay does not exceed Rs. 20) who, in the opinion of the head of his office, is fit for light work may be retained in employment till his pension is sanctioned, provided that his place is not filled up till he retires, and that his service counts only to the date of his medical certificate.

457. Article 455 refers only to the retention in *active* service of an officer who has furnished a medical certificate in support of an application for Invalid pension or gratuity while in India The retirement of an officer who is absent on leave other than Privilege leave, when such certificate is submitted, may have effect from the termination of his leave, and the officer may continue to draw leave allowance to the end of his leave.

SECTION IV.—SUPERANNUATION PENSION.

458. A Superannuation pension is granted to an officer in superior service entitled or compelled, by rule, to retire at a particular age.

459. (*a*) An officer who has attained the age of 55 may be required to retire by the Local Government under which he is employed. The Local Government may delegate this power, in respect of non-gazetted officers, to the head of the latter's office or department, not being under the rank of a Collector or District Judge.

(*b*) The ... o avoid depriv- ... cers and adding ... officers holding ... retention is to ... nts. In every ... g it should be ... ccount of the ... 55 years old ... of service. In every case the extension should be given for not more than one year at a time.

Page 120. Article 459 (a)

Substitute the following for the second sentence

... Local Government may delegate this pow... ... to the authority which can fill up his ... gazetted officer, ... on his pension.

(Edition—Reprint, No. 112, dated 14-8-16.)

(*d*) An officer who has attained the age of 60 cannot be retained in the service of Government save in very exceptional circumstance, and with the sanction of the Local Government.

460. An officer, who is compelled to retire under the preceding Article, or who retires voluntarily under Article 461, and part of whose service has been Inferior, is entitled to pension on the same conditions as if he had been invalided under Article 481, and to the option allowed by Article 398.

Survey of India.

461. Officers of the Imperial and Provincial Services of the Survey of India cease to be in employ on attaining the age of 55 years, unless

specially permitted by the Secretary of State, in the interests of the public service, to remain in the Department for a further definite period.

1. The Government of India may, however, grant an extension of service without previous reference to the Secretary of State to an officer in charge of a survey party who attains the [illegible]

462. *Cancelled.*

Procedure.

463. With a view to the issue of necessary orders as to retention or otherwise of officers to whom Article 459 applies, the Audit Officer should on or about the 1st of September in each year, submit to the authorities concerned (*vide* Article 459 and Appendix No. 1) a list of those who will attain the age of 55, or complete the term for which extension has been allowed, during the next official year.

Optional Retirement at Fifty-five.

464. An officer in Superior service who has attained the age of 55 years may, at his option, retire on a Superannuation pension.

SECTION V.—RETIRING PENSION.

465. A Retiring pension is granted to an officer who voluntarily retires after completing qualifying Superior service for thirty years or such less time as may for any special class of officers be prescribed.

466. (*See Article 509-A.*)

Page 121. Article 467.

Substitute the words "Provincial Government" for "Local Government" in the third line of this Article; also insert the following Note under it:—

NOTE.—[The Government of India may delegate its power under this Article to Minor Local Governments and Heads of Departments. A Provincial Government also may delegate its power to Heads of Departments.]

(5th Edition—Reprint, No. 112, dated 14-8-16.)

No. 46.

Page 122.

Insert the following as Article 468 A:—

468A. Pensions fixed in rupees should be calculated to the nearest anna, that is, where the exact amount works out to six pies or more, it should be taken to the next higher anna, amounts below six pies being disregarded.

NOTE.—[This rule applies to all pensions granted under these regulations.]

(5th Edition—Reprint, No. 46, dated 5-8-15.)

Page 124, Article 47t

For entry hea
following :—

"Posts and Te'
Chief Engineer, Tele'
of the Post Office,
General, Telegraph'

ed in the Indian Fin-
nctioned in the Secre-
h May, 1906—Deputy
oller, India Treasuries;

ment—Appointments in
the late Enrolled List
e Public Works Depart-

Regulations.
and Controllers of Military

Page 124, Article 475—

Substitute the following for the entry "Survey Depar'
under this Article :—

Survey Department.—Surveyor General and Superintendents ι

(5th Edition—Reprint, No 6, dated the 1st April 1915)

nd-

olitical

gence.

Land Revenue Department.—Settlement Commissioner and Director of Land Records in Burma

Imperial Customs Department.—Collectors.

Printing, Stationery and Stamps Department.—Controller.

Note.—[See special addition to the form of certificate in Form No. 26 (Pension).]

476. The following special scale of pension is admissible to officers appointed in England to the Forest and Geological Survey Departments :—

(a) After a service of less than ten years, an invalid gratuity on the scale laid down in Article 474 (a).

(b) After a service of not less than ten years, an invalid pension not exceeding the following amounts :—

Years of completed service.	Scale of pension.	Maximum limit of pension.	
		Rs.	Rs.
10	. . .	.	83⅓ a month.
11		.	116⅔ „
12			150 „
13		.	183⅓ „
14		.	216⅔ „
15	25 „ „ „	3,000 „	250 „
16	26 „ „ „		
17	27 „ „ „		
18	28 „ „ „		
19	29 „ „ „		

(c) After a service of not less than twenty years, a retiring pension not exceeding the following amounts :—

20 to 24	30 sixtieths of average emoluments.	4,000 a year or 333⅓ a month.
25 and above		5,000 ,, 416⅔ ,,

NOTE.—[The rules in this Article do not apply to the following officers who have elected to remain under the rules in Articles 518 and 520 of the *Second Edition* of these Regulations —

Forest Department —Messrs. T. A. Hauxwell and H S. Ker-Edie.

Geological Survey Department —Mr. C. S. Middlemiss]

477. *Cancelled.*

Reduction in certain Cases.

Page 125. Article 478 (a).

Omit the words " the 20th January 1871 and after" in lines 3 and 4 of this Article and substitute the following for Note 1. under

No. 181.

Page 125. Article 478.

Substitute " Rs. 25 " *for* " Rs. 10 " *in the last line of Note 1 to clause (a) of this Article as amended by Correction Slip No. 142, dated 14th August 1916.*

(5th Edition—Reprint, No. 181, dated 5-2-17)

[illegible] where P is the full [illegible] X is the age at entry into service (and there-

No. 172.

Page 125. Article 478.

Insert the words " or the Punjab " *after the word* " Madras " *in line 4 of Note 5 under clause (a) of this Article.*

(5th Edition—Reprint, No. 172, dated 10-1-17).

(b) Gratuities are not subject to any reduction and in the case of pensions the fixed limits are to be applied before, and not after, making the reduction.

479. Clause (*a*) of the preceding Article applies also to the Superior pension of an officer promoted from Inferior to Superior service, if he entered the service of Government after he attained the age of 25 years.

480. In the case of an officer whose qualifying service began after he attained the age of 30 years, the attention of the Examining Medical Officer should always be called to Article 478 (*a*) in order that he may adapt his certificate accordingly.

SECTION III.—AMOUNT OF INFERIOR PENSION.

481. For Inferior qualifying service, pension may, subject to the conditions laid down in Articles 426 to 457, be granted as follows :—

(*a*) Compensation and Invalid gratuity :

after a service of less than five years—*Nil* ;
„ „ not less than 5 years, but less than 10 years, 3 months' pay.
„ „ „ „ 10 „ „ 15 „ 4 „
„ „ „ „ 15 „ „ 20 „ 5 „
„ „ „ „ 20 „ „ 30 „ 6 .

(*b*) Compensati
years, at the followi ... 58.

(1) (i) Duftarie
Governme
suppliers
Governme
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and (iv
drawing
(2) Jomadars
Secretar
from Rs
incremen ... 20 a month at the time of retirement.
(3) In all other cases . . . . Half pay, not exceeding Rs. 4 a month.

Article 481.

...ord "Secretariats" *in Clau*...

...ny Head Quarters."

NOTE.—[Pensions granted under this Article should be calculated to the nearest anna, is, where the exact amount works out to six pies or more it should be taken to the next anna, amounts below six pies being disregarded.]

482. If the pay of an officer has been reduced during the last three of his service otherwise than as a penalty, his gratuity or pension under Section may, *at the discretion of the Local Government*, be calculated the average of his pay during the last three years of his service.

Premature Invaliding.

483. An officer should not, without urgent necessity, be invalided when he has nearly completed thirty years' service: the Government cannot undertake to overlook a deficiency of service resulting from an officer being prematurely invalided. The principle of this rule applies to all analogous cases.

Dockyard and Military Artificers.

484. A Dockyard or Military Artificer whose qualifying service, on pay exceeding ten rupees, excluding interruptions of, and absence from, duty of every kind, amounts to not less than twenty-five years, may be granted a Compensation or Invalid pension not exceeding three-fourths of the pension to which he would be entitled if his service on pay exceeding ten rupees were reckoned as Superior.

Telegraph Messengers.

485. A telegraph messenger paid on the task-work system shall, for the purposes of calculating pension or gratuity, be regarded as if he drew

... salary equal to the highest rate of pay drawn by messengers paid

No. 121.

Pages 126-127. Article 485.

Substitute the following for this Article :—

485. A telegraph messenger paid on the task-work system shall, for the purposes of calculating pension or gratuity, be regarded as if he drew a monthly pay equal to the average pay drawn by him during the last six months of his service. The word "pay" used in this Article means subsistence allowance *plus* task-work earnings.

(5th Edition—Reprint ...

Page 127. Article 486.

Substitute the following for clause (d) of this Article :—

(*d*) Charge allowance to Telegraphists in the Indian Telegraph Department and to Signallers, Inspectors and Charge Clerks in the Indo-European Telegraph Department.

(5th Edition—Reprint No. 17, dated 7th May 1915.)

Article 469 ,

(*f*) Bullock Train allowance in the Post Office Department :

(*g*) Allowance attached to a Professorship or Lecturership in a Government Institution ;

(*h*) Acting allowances of an officer without a substantive appointment if the acting service counts under Article 371, and allowances drawn by an officer appointed provisionally or substantively *pro tempore* to an office which is substantively vacant and on which no officer has a lien, or to an office temporarily vacant in consequence of the absence of the permanent incumbent on leave without allowances, or on transfer to Foreign service.

487. The term "Average Emoluments" means the average calculated upon the last three years of service.

1. If, during the last three years of his service, an officer has been absent from duty leave with allowances, or having been suspended, has been reinstated without forfeiture service, his Emoluments, for the purpose of ascertaining the average, should be taken at

PART

they would have been had he not been absent from duty or suspended: Provided always

be taken into account.

being included.

3. Excepting as provided in rules 1 and 2, only emoluments actually received can be included in the calculation For example, when an officer is allowed to count time retrospectively towards *increase* of pay, but does not *receive retrospectively the intermediate periodical increments*, these intermediate increments are not reckoned in the calculations.

4. In the case of Section-writers whose service has been allowed to count for pension under special orders of the Government of India, and of Press servants whose service qualifies under Article 380, "Average Emoluments" means the average earnings of the last

rates]

NOTE 3 —[If during the last 72 months of his service a Press servant has been for some period on fixed pay and for other periods a piece-work employé, overtime earnings may be taken into account in calculating pension only for the periods during which he was remunerated at piece-work rates]

Allowances which do not count.

488. An officer cannot count the following allowances :—

(1) Local allowances, including allowances given for duties performed in addition to the work of a regular appointment;

(2) Messing allowances, Working allowances, and Provision allowances to officers in the Marine Department;

(3) House-rent allowance, or estimated value of free quarters;

(4) Tour and other allowances (to officers who accompany the Viceroy or any Government);

(5) Compensation for dearness of provisions.

Net Emoluments taken.

489. Any part of an officer's pay or emoluments, which is specially intended to provide for expenses incidental to his duty, must be excluded.

The following are examples of the operation of this Article :—

(1) When an officer's pay is intended partly to cover the expense of his providing or keeping a horse, his pay must be taken only at what it would be if it was not intended to cover such expense. When a water-carrier's pay includes provision for a bullock, his pay must be taken at what it would be if he were not required to keep a bullock.

(2) When a consolidated pay specially includes tentage, travelling allowance, or house allowance, these must be deducted.

(3) The commission paid to a Thugyi in Lower Burma goes in part to pay expenses incidental to his office In calculating "Emoluments" or "Average Emoluments" for pension purposes, $2\frac{1}{2}$ per cent. on a Thugyi's commission, if the average commission of the last three years of his service exceeds Rs. 600 a year, is deducted, as representing the expenses of his office; and pension is computed upon the remainder. No deduction is made if the average commission of a Thugyi for the last three years of service does not exceed Rs. 600 a year; in such cases the pension is computed upon the total amount of such average commission.

(4) When an officer's pay is fixed at two rates, a smaller rate during stationary duty and a higher rate during periods passed on tour or travelling, the former rate alone should be the basis of the calculation.

490. When service on temporary duty counts for pension under Article 376, the pay of the permanent appointment held by the officer, and not that drawn in respect of the temporary duty is taken into consideration in determining the amount of pension.

491. The preceding Article does not apply to an officer deputed temporarily to service in the Income Tax Department, or to an officer deputed on abolition of his appointment to special duty (*Article 379*), or to an officer who, when his appointment was abolished, was on special duty. In these cases the full allowances are counted.

Combination of Appointments.

492. If an officer has held more than one appointment, in respect of each of which, if he had held it separately and alone, pension would have been admissible to him, the pension admissible to him is the sum of the several pensions which would have been admissible to him if he had held each office separately and alone. The consolidated pension thus admissible is subject to the limitations prescribed in Articles 474 to 480 and 481

493. An officer is not entitled, for service in an office conjointly with another office, to any pension which would not have been admissible to him if he had held the office separately and alone.

Chapter XX.—Special Rules for the Police.

SECTION I.—EXTENT OF APPLICATION.

Government Police.

494. The rules in this Chapter apply to—

(1) Members of Police Forces constituted under Acts XIII of 1856, XXIV of 1859, and V of 1861 of the Governor-General of India in Council, Act IV of 1866 of the Lieutenant-Governor of Bengal in Council, and Acts VII of 1867 and I of 1872 of the Governor of Bombay in Council.

(2) The Trans-Indus Police Force, which was not organised under Act V of 1861 until the 4th August 1873, and never possessed a Superannuation Fund.

(3) Members of the Salt Preventive Force employed on the Northern Frontier line, at the Runn Salt Works in the Bombay Presidency and on the Salt Preventive Lines on the Goa and Daman frontiers, though the Forces to which they belong are not constituted under any Act of the Legislature, and never possessed a Superannuation Fund.

(4) Members of the Police Force serving in the Baluchistan Agency, and sowars of the Somali Coast Mounted Police Force, although the Forces are not constituted under any Act of the Legislature.

Municipal Police.

495. (*a*) If the Police of a town are wholly supported by, and under the control of, a Municipality, the Government has no concern with their pensions.

(*b*) But if the Government, being interested in the efficiency of a Police Force, paid, wholly or partly, by a Municipality, the Calcutta Port Trust, or from Cantonment Funds, or from the General Revenues subsidised by a contribution from a Municipality, the Calcutta Port Trust, or from Cantonment Funds, undertakes the organisation and control of the Force, as connected with and auxiliary to the Civil Constabulary, service in such a Force qualifies. The contributions of Municipalities, the Calcutta Port Trust, or of Cantonment Funds towards the cost of the pensions of such Forces are, for the present, undetermined.

496. The Police Force in the Presidency towns of Calcutta, Madras, and Bombay, and in the Municipalities in Lower Bengal, come under clause (*b*) of the preceding Article.

497. *Omitted.*

Railway Police.

498. The service of members of the Railway Police, appointed and controlled by Government, qualifies, though they may be either wholly or partly paid by the Railway Companies.

SECTION II.—QUALIFYING SERVICE.

499. Service in any of the Police Forces mentioned in Article 494, after the establishment of a Superannuation Fund in the Force, qualifies.

NOTE 1.—[The Superannuation Funds were Funds to which, with the exception of certain soldiers of the Sikh Darbar and members of the Oudh Military Police, Police officers whose pay did not exceed Rs. 20 were obliged to contribute. In return for these contribution, they became entitled to pensions according to the rules of the several Funds.

Officers whose pay exceeded Rs. 20 did not contribute, as they came under the operation of the ordinary pension rules

By Act X of 1869 the Superannuation Funds established under Acts XXIV of 1859 and V of 1861 of the Governor-General of India in Council, and VII of 1867 of the Governor of

[illegible]

1905.

In the Police Forces of which the Superannuation Funds were abolished the pay of the men was reduced, either individually or on the average, to its previous nominal amount, less subscriptions to the Funds, the Government undertaking the liabilities of the Funds]

[illegible]

Superannuation Fund should not be refunded.

[illegible]

500. Men of the Police Force of the Cities of Bombay and Calcutta who have served the full time for pension in the Force and who joined the Force before the 1st April 1886 and 27th December 1905, the respective dates of the abolition of the Superannuation Funds, are, on being invalided, admitted to the benefits of the Superannuation Fund on paying up their subscriptions for the full period of their service. Under this rule the service of an officer in the Bombay and Calcutta City Police before the establishment of the Superannuation Fund counts towards pension under the rules of the Funds if he pays up his subscriptions for the whole period of his service in the Police Force.

[illegible]

Service before Enlistment.

501. In the following cases service rendered before enlistment in the present Police Constabulary qualifies :—

(*a*) Soldiers transferred to the Police on reduction of the Native Army count their Army service.

1. This concession does not apply to a soldier voluntarily taking his discharge from the Army and entering the Police, except as to soldiers who, under the authority of the order in the Military Department, No. 526 E S, dated the 25th October 1880, volunteered for service in the Port Blair Police.

(*b*) Service in Superior grades in any other Department qualifies.

(*c*) Service in the Bombay Excise (Abkari) Police, before that Force was amalgamated with the Bombay District Police, qualifies.

(*d*) Native Commissioned officers and men of the Army who volunteer for transfer to the levies and Military Police raised in Burma, in consequence

of the annexation of Upper Burma, are allowed to count their Army service for pension under the rules applicable to the Police in that Province.

(e) A subadar or jemadar of the Bengal or Assam Military Police, recruited from the Army or from a local corps, and Native Officers and men of the Dera Ghazi Khan Border Military Police recruited from the Army count service as follows :—

(i) A man recruited from the Army will be eligible for pension under the civil rules (counting both his past Military and Police service) on completion of ten years' service in the Military Police. If he retires with less than ten years' service in the Police, he will be granted pension on the Military scale according to his rank for the whole period of his service including service in the Police.

(ii) A man recruited from a local corps may count half his service in such corps towards Civil pension.

NOTE —[Pensions granted to men who count Army service under the foregoing rules are, if their Military service was sufficient to entitle them to pension if discharged without fault, a Military charge; otherwise they are a Civil charge]

Breaks in Service.

502. Subject to the provisions of Chapter XXI, a policeman on pay not exceeding twenty rupees, who re-enlists within one year, after discharge or resignation, may, with the sanction of the authority who sanctions the pension or of the Inspector-General of Police, count his service before such discharge or resignation.

SECTION III.—AMOUNT OF PENSION.

Officers on pay not exceeding Rs. 20.

503. The pension admissible to an officer, whose pay at date of discharge or resignation does not exceed twenty rupees, will be determined as prescribed in Article 505, according to one of the following scales :—

Scale A.—According to the rules of the Superannuation Fund of the Force.

[illegible]

(2) But if a gratuity thus awardable is less than the amount (without interest) of the officer's subscription to the Fund, the difference should be made up.

Scale B.—According to the rules prescribed in Chapters XVII to XIX for the calculation of pensions for Superior service; except that all service in the Police after the age of eighteen years qualifies.

NOTE —[Policemen in the lower ranks of the Madras City Police, on salaries not exceeding Rs. 20 a month, who enlisted after the 19th July 1871, may retire on pension without medical certificate after twenty five years' service]

504. (*a*) The pension of an officer of the Town Police of Calcutta who was in the Force before the 27th December 1905, and of an officer of the Town Police of Bombay who was in the Force before the 1st April 1886, is regulated by Scale A.

(*b*) The pension of an officer of the Town Police of Bombay, if he was enlisted or re-enlisted on or after 1st April 1886, is regulated by Scale B.

505. The pension of an officer of any other Force is regulated as follows —

(*a*) If he was in the Police before the 19th July 1871 and has served continuously since that date, by Scale A or Scale B according to his election.

(*b*) If he was enlisted or re-enlisted on or after the 19th July 1871, by Scale B.

(*c*) The pension of an officer enlisted in the Calcutta or Suburban Police Force on or after 27th December 1905 is regulated by Scale B. The pension of an officer who was enlisted before 27th December 1905 and subscribed to the Police Superannuation Fund, and whose pay at the date of discharge does not exceed Rs. 20, is, on his being invalided, regulated by Scale A, provided he pays up his subscriptions from the 27th December 1905 to the date of his retirement. Failing such payments his pension or gratuity is regulated by Scale B.

Officers on pay exceeding Rs. 20.

506. The pension admissible to an officer, whose pay at date of discharge or resignation exceeds twenty rupees, is determined by the rules which apply to ordinary service, except that service rendered after the completion of twenty years of age, and declared by this Chapter to be qualifying, is treated as Superior service, and that the benefit of Article 502 is not withdrawn from a Police officer by reason of his being promoted to pay exceeding twenty rupees a month.

1. When a Police officer, by promotion to a pay exceeding twenty rupees, loses any benefit as to pension which he would have enjoyed had his pay remained unchanged, his pension may be regulated as if he had not received the promotion.

2. *Men of the Bombay City Police count as Superior their service in the Force in Inferior* grades before the establishment of the Superannuation Fund

Previous Inferior Service.

507. If part of an officer's continuous service qualifies for pension under the general rules, but does not qualify under the rules in this Chapter, he may elect to receive, in lieu of the pension admissible under this Chapter, such pension as is admissible to him under Articles 398 and 481 to 483 for the whole of his service, both Inferior and Superior (see Article 460).

508. An officer who, under Article 505, has elected to abide by Scale B, will, if he takes gratuity under the preceding Article, obtain, in lieu of the scale prescribed in Article 481, one month's pay for every complete two years of service, but not more than twelve months' pay in all

Calculation of Pension.

509. Except in the case of officers of the Town Police of Calcutta, and of officers of the Town Police of Bombay who were in the Force before the 1st April 1886 (Article 504), pension is to be calculated upon the net pay, *i.e.*, the pay actually received by the officer, and not upon the gross pay, *i.e.*, the pay from which were deducted the subscriptions to the Superannuation Funds [*see concluding sentence of Note (1) to Article 499*]. But this rule shall not, unless he be either promoted to higher pay or degraded for misconduct to lower pay, be applied to any officer who, on the 19th July 1871, was entitled, by the rules of the Superannuation Fund, to have his pension calculated on his gross pay.

Chapter XXI.—Re-employment of Pensioners.

SECTION I.—GENERAL

509A. No officer, Civil or Military, may retire with the view of being re-employed, and drawing pension in addition to pay, whether in the general service or in the service of any Local Fund

510. When a person who was formerly in Government employ, either Civil or Military, is re-employed, whether temporarily or permanently, in Government service or in the service of a Local Fund, it shall be incumbent on him to declare the amount of any gratuity, bonus or pension received by him on retirement. The authority re-appointing him shall specifically state in the order of re-appointment whether any deduction is to be made from pension or salary as required by the rules of this Chapter and shall communicate a copy of the order to the Audit Officer.

510A. The attention of every officer who is re-employed should be specially called to the provisions of this Chapter by the authority re-employing him, and, whenever he becomes aware of such an appointment, by the Audit Officer; but the *failure of such authority to do this will not be admitted* as a ground for condoning any breach of the regulations contained in this Chapter.

SECTION II.—CIVIL PENSIONERS.

Re-employment after Compensation Gratuity.

511. An officer who has obtained a Compensation gratuity, if re-employed in qualifying service, may either retain his gratuity, in which case his former service will not count for future pension, or refund *it and count* his former service.

512. The intention to refund must be stated immediately on re-employment; but the refund may be made by monthly instalments of not less than one-third of the officer's salary, and also not less than the whole gratuity divided by the number of months which have elapsed since the end of the

service for which the gratuity was given. The right to count previous service does not revive till the whole amount is refunded.

NOTE.—[The equity of this rule is based upon the consideration that so long as the refund ... bility of ... officer. ... ate the ...

513. (*See 510A.*)

After Compensation Pension.

514. (*a*) An officer who has obtained a Compensation pension, if re-

Page 135. Article 514 (a).

Insert the following Notes under this Article :—

NOTE 3.—[The Government of India may permit an officer who has obtained a com- ... permanent or temporary appointment ... he pay and ... e to Heads of Departments in respect of pensioners, whose re-employment they are authorized to order.]

(5th Edition—Reprint, No 142, dated 14-8-16.)

No. 194.

Page 135. Article 514 (a).

Insert the following as Note 5 under this Article :—

NOTE 5.—[The restrictions in this Article do not apply to *ex*-policemen whose pension does not exceed Rs 10 a month, or to *ex*-inferior servants.]

(5th Edition—Reprint, No. 194, dated 11-4-17.)

need not be refunded.

NOTE.—[An officer counts his previous service under clause (*b*) if on re-employment his pension remains wholly in abeyance under the proviso to clause (*a*).]

515. In the case of a Section-writer whose service has been allowed to qualify for pension under special orders of the Government of India, or of a press servant (*see Article 380*) re-employed, the pay of the appointment abolished is taken at the average earnings of the last six months of employment.

516. If an officer does not, within three months from the date of his re-employment, exercise the option conceded by Article 514, of ceasing to draw pension and counting his former service, he may not thereafter do so without the permission of the Local Government.

517. An officer who, under Article 514, draws pension in addition to pay shall, during leave of absence from his new office, draw so much of his pension

as will bring his whole allowances during leave up to the amount which would have been admissible to him if he had taken leave of the same kind under the same circumstances while holding his abolished appointment: Provided that his allowances on leave shall never be less than his pension.

518. *Cancelled.*

After Invalid Pension.

519. There is no bar to the re-employment of an officer who has regained health after obtaining Invalid pension, or if an officer is invalided as being incapacitated for employment in a particular branch of the service, to his re-employment in some other branch of the Service. The rules in such a case as to refunding gratuity, drawing pension, and counting service, are the same as in the case of re-employment after Compensation pension.

After Superannuation or Retiring Pension.

520. An officer who is in receipt of a Superannuation or Retiring Pension shall not be re-employed or continue to be employed in service paid from General Revenues or from a Local Fund except on public grounds. The [illegible] n [illegible] is not withheld, the fact should be taken into account in fixing the pay to be allowed.

521. The sanction necessary to re-employment or extension of the term of re-employment is—

(i) that of the Government of India in the Administrative Department concerned, in case of pensioners who previous to retirement [illegible] previous to retirement held posts usually filled by officers of an Imperial Service or Branch;

(ii) that of the Local Government under whose administration the pensioner is re-employed in all other cases in which the pension exceeds Rs. 10 a month.

If the pension does not exceed Rs. 10 a month, re-employment, and continued employment, may be authorised by the officer who controls the establishment on which the pensioner is employed.

Exceptions.

522. The foregoing rules do not apply—

(i) to a pension paid from a Police Superannuation Fund constituted by contributions from the Force. Such a pension may be drawn, without restriction, in addition to salary; or

No. 33.

Page 137.—

Insert the following as Article 524A under a new heading "Employment on the Railway Board".—

"524A.—When an officer who is in receipt of a pension from Indian revenues is appointed President or Member of the Railway Board, he shall be allowed to draw his pension in addition to salary. If, however, an officer still in active service is so appointed, he will be ineligible for admission to pension during his tenure of office on the Board."

(5th Edition, Reprint, No 33, dated 2 6-15)

525. (*a*) Except where it is otherwise expressly stated (see Article 509A), the foregoing rules do not apply to a Military pensioner in Civil employ. The claims of such an officer to salary and pension in the Civil Department are not affected by his Military pension.

(*b*) If, however, a soldier be allowed to continue in Civil employ after he has earned a Military pension and such pension is payable, wholly or in part, from Indian Revenues, his salary in the Civil Department will be reduced by an amount equal to so much of his pension as is payable from Indian Revenues.

526. The salary in the Civil Department of a commissioned Military Officer not being a Native of India, whether the pay of his office be consolidated or staff pay, shall be reduced by the amount of any annuity, pension, or pensionary allowances, other than a good service pension or a pension obtained after a prescribed period of service otherwise than on medical certificate, which he receives in the Military Department If he has commuted any such allowance for a single capital payment, the same deduction will be made from his Civil salary as would have been made had he not done so.

527. The pension of the heir of a Native Commissioned or Non-Commissioned officer or soldier, or of the heir of a Medical subordinate, will, during employment in any Civil Department, merge in his salary.

528. Provided always that an Invalid Native Commissioned officer shall receive only so much of his Invalid pension as, with his Civil pay, will make his whole allowances equal to his Military pay and allowances immediately before his retirement. If, therefore, the pay of the Civil appointment ...less than his Military pay and allowances at the date of his retirement, ... no portion of his Military pension.

...ensions of Army pensioners who enlist into the Burma Military Police ...ng the time they continue to serve in that force. But the gratuities ... enlisting into the Burma Military Police need not be refunded.

PART IV.

SECTION IV.—PENSION FOR NEW SERVICE.

529. Except as provided in Articles 525 to 528, an officer who, having been discharged with a pension, is subsequently re-employed, may not count his new service for a separate pension. Pension (if any) is admissible only for the new service combined with the old, the whole being counted as one service.

530. If an officer who has obtained a Compensation or Invalid pension is re-employed in pensionable service and retains the pension (see Article 514), the pension or gratuity admissible for his subsequent service is subject to the following limitation, namely, that the gratuity or the capital value of the pension shall not be greater than the difference between the value of the pension that would be admissible at the time of the officer's final retirement, if the two periods of service were combined and the value of the pension already granted for the previous service.

[illegible]

531. (*a*) If a gratuity received for the earlier service has not been refunded, gratuity or pension (as the case may be) may be allowed for the subsequent service, on condition that the amount of such gratuity or the present value of such pension calculated according to Table A in Appendix 10, *plus* the amount of the previous gratuity, shall not exceed the amount of gratuity or the present value of the pension that would have been admissible had the gratuity received for the earlier service been refunded.

(*b*) If the amount of such gratuity or the present value of such pension, *plus* the amount of the previous gratuity, exceed the amount of gratuity or the present value of the pension that would have been admissible if the gratuity received for the earlier service had been refunded, the excess must be disallowed.

PART V.—RULES APPLICABLE TO SPECIAL DEPARTMENTS OR SPECIAL OFFICERS.

GENERAL ARRANGEMENT.

PART V.—RULES APPLICABLE TO SPECIAL DEPARTMENTS OR SPECIAL OFFICERS.

Chapter XXII.—The Governor-General, Governors, Lieutenant-Governors and Members of Council.

SECTION I.—EXISTING PENSIONS HOW AFFECTED.

532. The following is the Statute Law applicable to the Governor-General, Governors, and Members of Council who hold or enjoy pensions .—

"[illegible] f any Governor-General, Governor, or Ordi- [illegible] mber of the Council of any Presidency shall [illegible] Office, or Employment of Profit under the [illegible] he Office, or (1) the said Company (East [illegible] of the Civil or [illegible] of his Office of Governor-Genera [illegible] reduced by the amount of the F [illegible] held or enjoyed by him."—(3 an [illegible]

(1) (Sic in original [illegible] "under")

533. If any Ordinary Member of Council hold or enjoy any pension or any annuity payable out of the Civil or Military Fund, the salary of his office of Member of Council is to be reduced under Acts 3 and 4 Will IV, Cap. 85, s. 77, by the amount of the pension or annuity held by him. A Good Service Pension enjoyed by Military Officers comes within the meaning of pension under the Act cited above.

SECTION II.—LIEUTENANT-GOVERNORS.

Leave Rules.

534. (*a*) Leave on Medical Certificate for not more than six months may be granted to a Lieutenant-Governor On resuming his duties after such leave, a Lieutenant-Governor is entitled to half his salary for the period of his absence. If he is prevented from resuming his duties, he is entitled to no absentee allowances.

(*b*) A Lieutenant-Governor is not entitled to any other leave.

NOTE 1—[Service as a Lieutenant-Governor does not qualify for any leave under the ordinary rules, but counts as continuous service for the purpose of Article 308 and does not interrupt any leave previously earned]

NOTE 2.—[The provisions of Article 215 do not apply to a member of the Indian Civil Service who on resigning the office of Lieutenant Governor takes furlough or special leave

PART V.

under the ordinary rules. If he resigns preparatory to retirement he is entitled to subsidiary leave on half average salary.]

NOTE 3.—[A Lieutenant-Governor who is granted leave during the term of his office is required to conform to the rule—Article 224 of these Regulations—as regards obtaining a certificate of fitness to return to duty.]

Acting Lieutenant-Governor.

535. The salary of a person appointed to officiate as Lieutenant-Governor is regulated in the same way as the salary of a person appointed to be temporary Member of Council (see Article 539).

SECTION III.—MEMBERS OF COUNCIL.

Tenure of Office.

536. The tenure by a Member of Council of his office begins from the date on which he first takes upon himself the execution of his office whether as a temporary Member appointed in India, or after the issue of His Majesty's warrant of appointment; and the resignation of his office, by a Member of Council, whose successor has not entered upon his office, takes effect from the day following that of his embarkation at any port in India, excluding Aden, or from the expiry of his five years' tenure of office, whichever date is earlier. Any time during which a Member of Council (not being himself granted leave) draws less than full pay shall not be computed as part of his five years' tenure of office.

Leave Rules.

537. The leave admissible to an Ordinary Member of the Executive Council of the Governor-General or of the Governor of Madras or Bombay or Bengal or of the Lieutenant-Governor of any Province is regulated by Statute 24 and 25 Vict., Cap. 67, s. 26, as follows :—

NOTE 1.—[Service as a Member of Council does not qualify for any leave under the ordinary rules, but counts as continuous service for the purpose of Article 308 and does not interrupt any leave previously earned.]

NOTE 2.—[The provisions of Article 215 do not apply to a Member of the Indian Civil Service who on resigning the office of Member of Council takes furlough or special leave under the ordinary rules. If he resigns preparatory to retirement he is entitled to subsidiary leave on half average salary.]

NOTE 3.—[A Member of Council who is granted leave during the term of his office is required to conform to the rule—Article 224 of these Regulations—as regards obtaining a certificate of fitness to return to duty.]

538. Subject to any special orders by the Government of India to the contrary, leave of absence granted to an Ordinary Member of the Council

of the Governor-General (if taken out of India) commences on the day after such Member embarks at any port in India, [illegible] day before he disembarks at any port in I[illegible] always that such Member has not been rel[illegible] until he embarks, and that he resumes ch[illegible] embarkation.

Temporary Member.

539. The salary and the appointment of a temporary Member of the Executive Council of the Governor-General or of the Governor of Madras or Bombay or Bengal, or of the Lieutenant-Governor of any Province is regulated by Statute 24 and 25 Vict., Cap. 67, s. 27, as follows :—

NOTE —[The headings which are introduced to facilitate reference are not a part of the Statute.]

In case of vacancy

[illegible]

In case of absence.

[illegible]

Proviso.

Provided always that no person shall be appointed a temporary Member of the said Council who might not have been appointed as hereinbefore provided to fill the vacancy supplied by such temporary appointment.

540. A Good Service pension comes within the "allowances" which a provisional Member of Council appointed on a vacancy occurring in the office of an Ordinary Member must forego.

541. The salary of the substantive office of a temporary Member of Council appointed in the place of an Ordinary Member of Council who, by reasons of infirmity or otherwise, is rendered incapable of acting or is absent on leave, includes the Military pay or Indian Army pay of an officer holding an appoint-

or "Statute 24 and 25 Vict, C. 104, S. 6" in line 1 of the
read "Statutes 24 and 25 Vict., C. 104, S. 6 and 5 and 6
5, C. 61, S. 104."

lter "Statute" in the penultimate line to "Statutes."

Add the following at the end of the Article:—

except in so far as they refer to the Chief Justice and Judges of the Court at Patna, the rules in their case having effect from the date of shment of that Court."

Substitute the following for Rules 3, 4, 28 and 37 in this le:—

. The Chief Justice, or acting Chief Justice, of the High Courts adras, Bombay, Allahabad and Patna respectively, shall be paid a at the rate of Rs. 60,000 per annum.

. A Judge, or acting Judge, of the High Courts at Calcutta, Madras, ay, Allahabad and Patna respectively, shall be paid a salary at the rate . 48,000 per annum.

28. A Chief Justice of the High Courts at Madras, Bombay, Allahabad atna respectively, after an actual service of eleven and a half years as e of a High Court, of which period at least five years and nine months have been as Chief Justice, shall receive a pension not exceeding £1,500 nnum.

37. If a Chief Justice of the High Court at Madras, Bombay, Allaha- or Patna be appointed Chief Justice of the High Court at Calcutta his d of service in the Court from which he is transferred will count for ion according to the rate of pension of a Chief Justice of that court, his period of service as Chief Justice of the High Court at Calcutta will t for pension according to the rate of pension of a Chief Justice of the h Court at Calcutta.

2 Edition—Reprint No. 144, dated 6-9-15.)

A. *If the Member of Council retires from that office otherwise than on transfer to another public office:*—From the date of such retirement.

B *If he retires on transfer to another public office:*—From the date on which the pension, gratuity, or other retiring Allowance in respect of the public office held before appointment as Member of Council becomes payable in accordance with any Act of Parliament or rules made by the Treasury in pursuance thereof.

5. *Amount of Grant.*—The grant from Indian *revenues* is made in accordance with the rules framed by the Treasury under Sect[illegible]

† 8 Edward VII, c. 10.

of the total award there[illegible] ount of such award when it is dependent on the salary of the Member of Council and the rules appli-

Statutory Rules.

543. The following rules made, under Statute 24 and 25 Vict., c. 104, by the Secretary of State in Council of India, regulate the salaries, allowan furloughs, retiring pensions, and (when necessary) expenses for equipm and voyage of the Chief Justices and Judges of the several High Cou

* United Provinces of Agra and Oudh.

established under the said Statute. They have effect from the 25th day of April 1899.

N.B.—[The headings (other than those of sections) which are introduced to facilitate reference do not appear in the Statutory rules.]

Definitions.

1. In these rules, unless there is something repugnant in the subject or context,—

"Acting Chief Justice" means a Judge appointed under Section 7 of Statute 24 and 25 Vict., Cap. 104, to perform the duties of Chief Justice of a High Court

"Acting Judge" means a person appointed under the said Section 7 to perform the duties of a Judge of a High Court.

"Temporary Additional Judge" means a person appointed under Section 3 of the Statute 1 and 2 Geo. V, Cap. 18, to perform the duties of a Judge of a High Court.

"Judge" includes a Chief Justice and Acting Chief Justice, and an Acting Judge and a Temporary Additional Judge, except where the contrary is expressed.

"Actual Service" includes:—

(a) Time spent by a Judge on duty as Judge, or in the performance of such other functions as he may be directed to discharge by the Governor-General of India in Council;
(b) Time spent by a Judge on privilege or subsidiary leave;
(c) Duly authorised vacations (provided that the Judge is not absent on furlough or on extraordinary leave under Rule 26.

Section I.—Salaries.

2. The Chief Justice, or Acting Chief Justice, of the High Court at Calcutta, shall be paid a salary at the rate of Rs. 72,000 per annum.

3. The Chief Justice, or Acting Chief Justice, of the High Courts at Madras and at Bombay, and for the North-Western Provinces,* respectively, shall be paid a salary at the rate of Rs. 60,000 per annum.

4. A Judge, or Acting Judge, of the High Courts at Calcutta, Madras and Bombay, and for the North-Western Provinces,* respectively, shall be paid a salary at the rate of Rs. 48,000 per annum; Provided always that every Judge of the High Court at Calcutta appointed before the 18th day of January 1881 shall be paid a salary at the rate of Rs. 50,000 per annum.

[illegible]

Section II.—Leave.

Furlough earned.

[illegible]

Furlough admissible.

7. Except under Rules 9 and 10, no furlough shall be granted until at credit under Rule 6. But [illegible] to th[illegible] the [illegible] grant[illegible] furlo[illegible] and shall not exceed one year.

* United Provinces of Agra and Oudh.

Conditions of grant.

8. Except under Rules 9 and 10, furlough shall not be granted until after the completion of three years' actual service from the date of the last return from furlough or from extraordinary leave.

9. Under medical certificate, furlough may be granted before it is at credit under Rule 6, and although three years' actual service may not have been completed since the last return from furlough or from extraordinary leave

9A. A Judge on long leave in Europe must, if the leave was granted or has been extended on account of ill-health, whether it be technically leave on medical certificate or not, satisfy the Medical Board at the India Office as to his fitness to return to duty. Ordinarily he must attend at the India Office for examination by the Board, but, in special cases, particularly if he be residing at a distance of more than 60 miles from London, a certificate in a form to be obtained from the India Office from two medical practitioners may be accepted. On the required evidence of fitness being furnished, the Judge will receive from the India Office permission to return to India.

10. On urgent private affairs, furlough may be granted to a Judge before it is at credit under Rule 6, and although three years of actual service have not been completed since the last return from furlough or extraordinary leave: Provided that furlough under this rule shall not exceed six months, and shall be granted only once during the whole period of a Judge's service.

Commencement and end of Furlough.

[illegible] he Judge quits [illegible] hall be reckoned [illegible] of debarkation [illegible]

12 If furlough be taken partly in India and partly out of India, the commencement and termination of the furlough shall be respectively determined under the provisions of Rule 11 according as the furlough begins or ends in or out of India.

Subsidiary Leave.

13. For the interval between the date of quitting his office and the commencement of furlough out of India, and between the termination of furlough out of India and resuming his office, a Judge may be allowed a subsidiary leave not ordinarily exceeding thirty days, which in special cases may be extended.

Leave Allowances.

[illegible]

Number of Furloughs admissible.

[illegible] time, [illegible] exiger [illegible] with [illegible]

16. Applications for furlough not supported by medical certificate shall be granted usually in the following order:—

The Judge who has the greatest amount of furlough to his credit under Rule 6 shall have [illegible]

Privilege Leave—Present Rules.

17. Subject to the exigencies of the public service a Judge who has completed eleven months' continuous duty, including the vacation, may take privilege leave for one month in each year, but, except as provided in clause (a), his salary will cease during such leave. A Judge may not take privilege leave in instalments or more than a month at a time; and except as provided in clause (b), privilege leave may not be combined with vacation.

[illegible]

(b) Once in three years, and not oftener, privilege leave may be prefixed or affixed to the vacation.

18. *Omitted.*

Privilege Leave Declaration.

[illegible] must be accompanied by an explanation of the special circumstances under which it is made, and it shall be in the absolute discretion of the Government to grant or withhold the permission sought.

Combination of Leave.

20. Privilege leave may be prefixed but not affixed to furlough. This rule is to have effect as from the 25th of January 1901.

Applications for Leave.

21. Applications for leave shall in all cases be submitted in such manner as the Government shall from time to time prescribe.

Payment of Leave Allowances.

22. Leave allowances shall be payable monthly if payment is made in India, and quarterly if in England.*

Effect of Leave on Substantive Appointment, etc.

23. No substantive appointment shall be vacated merely by reason of leave being granted under the rules.

[illegible] in consequence of his absence.

A Judge may be allowed to combine vacation on full pay with leave as shown in (A) and (B) below, provided that no acting allowance is sanctioned or additional expense is incurred by the State in consequence of his absence during the vacation:—

(A) Where the vacation of the High Court consists of one period, a Judge may be allowed to combine vacation on full pay with leave, either at the beginning or end thereof, but not both.

(B) Where the annual long vacation is not continuous, but is divided into two separate portions, a Judge may be allowed either:—

(a) to combine one part of a vacation on full pay with leave, either at the beginning or end thereof, but not both; or

(b) to combine both parts of one annual vacation on full pay with leave for the intervening period.

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* Leave allowance is now paid monthly in arrear if payment is made in England.

Effect of Leave on Pensionary Service.

25. No leave except privilege leave and leave subsidiary to furlough shall count as service for pension.

Extraordinary Leave.

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going
leave
service.

Section III.—Pensions.

Chief Justice.

Judges.

29. A Judge of a High Court, not being eligible for pension at a higher rate under Rule 27 or 28, shall, after an actual service of eleven-and-a-half years as Judge, receive a pension not exceeding £1,200 per annum.

Invalid Pension.

30 A Chief Justice or Judge, who retires on medical certificate after six years and nine months' actual service, shall receive a pension not exceeding one-half the amount of pension allowed for the full period of service.

No. 6.

Page 149, Article 543—

Insert the following as a new rule under this Article immediately after rule 33, renumbering the present rule 33A as 33B.

"33A. The words 'a member of one of the Government services in India' in Rules 32 and 33 include an acting member, and for the purpose of these rules acting service in the appointment held at the time of appointment as a Judge of the High Court shall be regarded as substantive."

(5th Edition—Reprint, No. 6, dated the 1st April 1915)

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* United Provinces of Agra and Oudh.

Transfer to another High Court.

35. If a Judge be transferred from one High Court to another, the period he shall have served in each Court shall count towards his qualification for pension.

Promotion to be Chief Justice.

[illegible]

pension according to the rate of pension [illegible] been appointed.

[illegible] of the High Court at Madras, at Bombay, or for the North-Western* [illegible]

Court at Calcutta.

38. A Judge appointed under Statute 24 and 25 Vict., Chapter 204, Section 7, to per- [illegible] the meaning of these rules as to [illegible]

Extent of Application

[illegible] shall apply [illegible]

Section IV.—Expenses for Equipment and Voyage.

40. For the purpose of defraying the expenses of equipment and voyage from Europe on first appointment, there shall be allowed—

To a Chief Justice or Judge of any High Court, £300.

But no such allowance shall be made to any person who being in India is appointed to the office of Chief Justice or Judge, or who having been in India, is in Europe at the time of his appointment with the intention of returning to India.

Reversion to the General Service.

544. (*a*) An officer subject to the rules of any of the other Chapters of these Regulations, who has for a time been removed from the operation of such rules by reason of officiating as Judge of the High Court, shall, on return to general service, have to his credit the same amount of service towards Privilege leave as was at his credit when he began to officiate as High Court Judge.

(*b*) In addition to this, he is entitled to count towards Privilege leave, under the rules to which he is subject, any period that has elapsed since he

* United Provinces of Agra and Oudh.

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applicable to Judges of the High Court.

545. If a Judge, who is a member of the Indian Civil Service or a Statutory Civil Servant, shall be permitted to resign his office and remain in the service, all leave which he may have taken as a Judge of the High Court shall be reckoned as if it had been taken under the rules for the leave of absence of members of the Indian Civil Service or Statutory Civil Servants, as the case may be.

Chapter XXIV.—Barrister and Pleader Appointments.

Barristers' Privileges.

546. No Civil officer, whether a member of the Indian Civil Service or otherwise, is entitled to any special privileges by reason of his being a Barrister, unless, on his first admission to the service, he is appointed to some office in which the Local Government, with the sanction of the Government of India, has declared it to be necessary on public grounds to

lian Civil Service,
er :—
the Punjab and

Page

Add "Administrator-al Trustee, Madras"
*the list of officers menti*le.

(5th Edition—Reprint, No. 109, dated

No. 204.

Page 151. Article 547.

Substitute "Administrator General and Official Trustee, Bengal," for "Administrator General of Bengal" *in the list of officers mentioned in this Article.*

(5th Edition—Reprint No 204, dated 9-6 17)

Legal Remembrancer and Secretary to the
Legislative Council, Punjab,

Leave Rules.

548. (*a*) Except in the case of the Legal Remembrancer and Secretary to the Legislative Council, Punjab, the Statutory Rules which regulate the furlough and leave of absence of High Court Judges (Article 543, Rules 6 to 26) are also applicable to the officers in the preceding Article.

No. 108.

Page 152. Article 548.

For the words "Administrator-General and Official Trustee, Bombay" *in the penultimate line of this Article substitute the words* "Administrator-General and Official Trustee at Bombay or Madras."

(5th Edition—Reprint, No. 108, dated 4-4-10)

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549. (*a*) Special pensions are admissible as follows, but the officers named in Article 547 are otherwise subject to the "Ordinary Pension" Regulations in Part IV:—

(1) ... nsion
of £1,00C ... and
of Lowe ... the
other Ba ...

NOTE.—[(i) A Chief Court Judge who renders officiating active service as a High Court

(2) After an active service of not less than 6½ years, an Invalid pension not exceeding one-half the amount of pension allowed for the full period of service.

NOTE.—[The above scale of pensions does not apply to Mr. C. W. Chitty, who has elected to remain under the rules previously existing.]

(*b*) The Active Service of the officers referred to in Article 547 includes, besides time spent on duty, whether in substantive or acting service, Privilege leave, Subsidiary leave, and periods of vacation during which the officer is not on Furlough or Extraordinary leave.

Compulsory Retirement.

550. Officers to whom the rules of this Chapter applied on the 25th June 1901 are exempt from the rule in Article 459 regarding retirement at 55 years of age. Officers who after that date become subject to the rules in this Chapter are required to retire on attaining the age of 60 years.

Chapter XXV.—Members of the Indian Civil Service.

Date of Arrival in India.

551. The date of an officer's first arrival in India is held to be the date on which he reports his arrival at the capital town of the Presidency

or province to which he has been posted by the Secretary of State or the Government of India, or at any other station to which he may proceed under the orders of the Local Government.

552. Article 187 in Chapter IX (joining time) provides for the case of an officer being unable from illness to proceed to the seat of Government.

Rules regarding Pay and Allowances.

553. Unless there be something repugnant in the subject or context, pay and allowances are governed by the rules in Part II. Acting allowances are calculated in accordance with the rules in Articles 104 to 108.

Leave Rules.

554. The leave rules applicable are the European Service Leave Rules in Part III.

1. The rules applicable to a member of the Indian Civil Service occupying the position of a High Court Judge are laid down in Chapter XXIII.

2. The grant to a member of the Indian Civil Service occupying the position of a Chief Court Judge, of privilege leave, and the conditions under which leave may be combined with vacation on full pay, are regulated by Rule 17 and 24 (A), Article 543.

555. Except in the case of Judges of Chief Courts, no leave but Privilege leave and Subsidiary leave preparatory to retirement may be granted to an officer who has completed thirty-five years' service. Any leave other than Privilege leave and Subsidiary leave preparatory to retirement granted before such date ceases to have effect on the date the officer completes thirty-five years' service.

Annuity Deductions.

556. (*a*) Four per cent. shall be deducted at the time of payment from every officer's pay, and from such of his other public emoluments as are mentioned below :—

If the officer was in the service in 1875 or was appointed to it after passing a competitive examination held before the end of the year 1875, and belongs to the—

Bengal Establishment.—Every allowance, excepting—

(1) Minimum Furlough allowance,
(2) Subsistence allowance while on Furlough,
(3) Establishment allowance,
(4) Sumptuary allowance, and
(5) Travelling allowance

Madras or Bombay Establishment.—The following allowances, *viz* .—

(1) Acting allowance,
(2) Deputation allowance,
(3) Personal allowance,
(4) Fees,
(5) Allowances while on Privilege or Subsidiary leave,
(6) Subsistence allowance when not on leave other than Privilege and Subsidiary leave, and
(7) Local allowances other than travelling allowance and tentage.

N. B.—(An Assistant or Head Assistant Collector in the Madras Presidency is not required

If the officer is appointed to the service after passing a competitive examination held in or after the year 1876—

Every allowance, excepting—

(1) Minimum Furlough allowance,	(4) Sumptuary allowance,
(2) Subsistence allowance while on Furlough,	(5) Travelling allowance,
(3) Establishment allowance,	(6) Tentage.

NOTE 1.—[Fees or honoraria paid by Government to Examiners for conducting examinations and rewards for passing examinations in languages are not liable to annuity deductions.]

NOTE 2.—[The deduction prescribed in this Article is not made from the salary of an Ordinary Member of the Council of the Governor-General, or of the Council of the Governor of Madras or Bombay or Bengal, or of the Council of the Lieutenant-Governor of any Province.]

(*b*) The deduction required by this Article is included in the contribution levied from an officer on Foreign Service of the first and second kind under the rules in Part VII; when, however, an officer is on Foreign Service, and no contribution is made by him or on his behalf under Part VII, he is required to contribute four per cent. under clause (*a*).

Example.—The Chairman of the Commissioners of the town of Calcutta, the Municipal Commissioner for the city of Bombay, or any of the officers referred to in Article 772.

Civil Fund Deductions.

557. Deductions on account of subscriptions to Civil Funds shall be made at the time of payment from the emoluments of officers according to the rules of the Fund to which the officer belongs. The Funds are—

A.—Bengal Civil Fund.	C.—Bombay Civil Fund.
B.—Madras Civil Fund.	D.—Indian Civil Service Family Pension Regulations.

NOTE.—[The rates of subscriptions to the several Funds are given in Appendix 11.]

558. European officers who arrived before 1881-82 are alone allowed to subscribe to the three Civil Funds, A, B and C, but the following Native officers are allowed, on payment of equal subscriptions, to secure like benefits to those which the Civil Funds secure to Europeans:—

Bengal Establishment.		*Bombay Establishment.*
(1) Mr. B. L. Gupta.	(2) Mr. C. Rustamji.	(1) Mr. S. N. Tagore.
(2) " B. De.	(2) " K. J. Badshah.	

559. The following officers who arrived in 1881-82, and all European officers junior to them, are required to subscribe under the "Indian Civil Service Family Pension Regulations":—

Mr. A. H. Diack, C.V.O., Bengal; Sir William Meyer, K.C.I.E., Madras; Mr. J. J. Heaton, Bombay.

560. (*a*) The recovery of subscriptions due on the absentee allowances of subscribers to the Bengal, Madras, and Bombay Civil Funds, is made under the following rules:—

(1) If the officer is on leave out of India and draws his allowances in England and has not paid his subscription in advance, or made arrangements for its payment in India as it falls due,

(1) Specially admitted to the Civil Funds.
(2) Allowed to subscribe to the "General Revenues" at Civil Fund rates.

recovery will be made at the Home Treasury by deduction from his absentee allowances, unless he is a member of the Bengal or Madras Civil Fund. and has exercised the option allowed to members of those funds of postponing the payment of his subscriptions until after return to duty.

N.B.—[The option allowed to subscribers to the Bengal Civil Funds of postponing payment of subscriptions on absentee allowances is limited to a period of one year]

(2) For payment of leave allowances in any of His Majesty's colonies, warrants will be issued only on condition that the subscriptions shall be either paid in advance or taken by deduction; in the latter case the warrant to the colony should show only the net allowance payable after such deduction.

(*b*) The recovery of subscriptions due on the absentee allowances of subscribers to the Indian Civil Service Family Pension Regulations is made under the following rules:—

(1) If the subscriber is in Europe, the rules require his subscription to be paid in England in sterling, and recovery of it will therefore be made at the Home Treasury by deduction from his absentee allowances.

(2) For the payment of leave allowances in the colonies, the warrants issued will show the gross allowance payable, with instructions to recover the amount of monthly subscription due in sterling.

Retirement and Annuity.

561. An officer who has been twenty-five years in the service, counting from the date of his covenant, or from the date of the despatch of the Secretary of State announcing his appointment (whichever may have been earlier), and who has rendered twenty-one years' active service, is entitled, on his resignation of the service being accepted, to an annuity of £1,000

562. An officer who resigns the service will, by such resignation, vacate any office under the Government which he may then be holding But this rule does not apply to the offices of Viceroy and Governor-General of India, Governor of Madras, Governor of Bombay and Governor of Bengal.

563. The resignation of the Civil Service by a Lieutenant-Governor, Member of the Council of the Governor-General, or of the Council of a Governor or of a Lieutenant-Governor, or Judge of a High Court, shall not be accepted unless his resignation of his office is at the same time tendered and accepted.

564. An officer who, having proceeded to India and made or become liable to any payment on account of the provision for the annuity to which he might become entitled under Article 561, is declared by a medical certificate in due form to be incapacitated for further service and is thereupon permitted to resign the service before he is entitled to such an annuity, is entitled to a gratuity or annuity as follows:—

(*i*) for less than five years' service—a gratuity of £500;

(*ii*) for five years' completed service—an annuity of £150, rising by £20 for each additional year up to twelve;

PART V.

(iii) for twelve years' service—an annuity of £290, rising by £30 for each additional year up to [illegible]

[illegible] until he has held it for five years. The term "office" in this Article includes an officiating appointment.

NOTE.—[This rule does not apply to an officer holding the appointment of a Judge of a Chief Court. Such an officer is required to vacate his appointment on attaining the age of 60 years.]

(b) The period of five years begins to run from the date on which the officer first takes up the office, whether substantively or temporarily, provided that, if temporary, he is confirmed without reverting to his substantive appointment; but the currency of the period is not interrupted by any subsequent temporary promotion to a higher appointment.

Chapter XXVI.—Statutory Civil Servants.

566. The following rules regulate the pay and allowances, pension and leave of Statutory Civil Servants:—

Pay and Allowances.

1. The pay or salary of an officer holding an office, the pay of which has been fixed with a view to its being held by a member of the Indian Civil Service or a member of a Commission, is, unless otherwise specially ordered, 64 per cent. of what would be the gross pay or salary of the office if it were held by a member of the Indian Civil Service.

2. The subsistence allowance of an officer when out of employ is as follows:—

	Rs.
To an officer who has rendered not more than eight years' active service [as defined in *Section* I (Pension Regulations)]	250
To an officer who has rendered more than eight but less than twelve years' such active service	320
To an officer who has rendered not less than twelve years' such active service	400

Pension Regulations.

Section 1.—In these Regulations—

"Active Service" means active service in an office ordinarily held by a member of the Indian Civil Service, and includes besides time spent on duty—

(1) Any period not exceeding two years spent on probation in India;
(2) Privilege and Subsidiary leave of absence;
(3) Time passed in India out of employ on Subsistence allowance;
(4) Time passed on leave with allowances to the following extent:—

If the total service of the officer is not less than—	He counts as service a period of leave out of India not exceeding—	He counts as service a period of leave in India not exceeding—
15 years	1 year	1 year
25 "	2 years	1 "
30 "	....	2 years.

NOTE 1.—[The figures in columns 2 and 3 are not cumulative, that is, an officer may not count two years' leave in 15 years' service or more than two years' leave in 25 or 30 years' service.]

[illegible]

officiating, for five years.

N.B.—[The period of five years begins to run from the date on which the officer first takes [illegible]

[illegible]

(2) After an active service of not less than ten years, pension of Rs 1,500 a year, *plus* Rs. 150 for each complete year of active service in excess of ten.

Section 5.—(*a*) An officer removed from the service, under Section 2, after an active service [illegible]

bears to the whole of his qualifying service

(2) That proportion of the pension to which he would have been entitled if his whole service had been in an office not ordinarily held by a member of the Indian Civil Service, which his previous qualifying service bears to the whole of his qualifying service.

(*b*) If such an officer is entitled to gratuity only, his gratuity shall be calculated as if his whole service had been passed in an office ordinarily held by a member of the Indian Civil Service.

Section 7.—The procedure upon an application for pension and upon the payment of pensions is that described in *Chapter* XLIX.

PART V.

Leave Regulations.

Section 1.—In these Regulations—

"Average salary" means average salary for a month, calculated for so much of the thre years immediately preceding the day on which an officer gives up office as he has passed o duty, or on Privilege or Examination leave. Average salary in excess of Rs. 1,400 a mont s not reckoned.

"Service" means all qualifying service, whether rendered in an office ordinarily held b a member of the Indian Civil Service or otherwise and includes periods spent on leave wit allowances.

Provided that the leave allowances of an officer shall in no case exceed his actual salar he was last before on duty.

NOTE.—[A Statutory Civil Servant who is compelled owing to ill-health to tak with allowances out of India is entitled to the benefits of *Article 312*.]

Section 3.—Leave on medical certificate may be granted for three years in more than two years at one time.

Section 4.—(*a*) An officer may take either Leave on Private Affairs or Furlo but not both these kinds of leave:—

(*b*) Leave on Private Affairs may be taken, first, after not less than six years' thereafter at intervals of not less than six years. The duration of Leave on Priv must not exceed six months at one time.

to two years.

Section 5.—Subsidiary leave, Privilege leave and Examination leave may be granted unde Part III.

Section 6.—The Local Government may grant Extraordinary leave without allowances at its discretion. Subject to the provisions of Section 10, there is no limit to the length or frequency of leave under this section; and it may be granted in continuation of any leave with allowances.

Section 7.—Leave taken by an officer before his appointment to an office ordinarily held by a member of the Indian Civil Service shall, for the purpose of calculating the leave admissible to him under this Chapter, be treated as leave taken under this Chapter.

Section 8.—Leave on Private Affairs or Furlough may not be granted in continuation of

1. Extraordinary leave cannot be changed retrospectively into Leave on Medical Certificate; but leave on Medical Certificate may be given in continuation of Extraordinary leave.

Section 9.—An officer who has reached the age of 55 years is not eligible for any leave ex-

... to the public service.

1. A Statutory Civil Servant who takes leave other than Privilege leave, or Examination leave, has no claim to return to the particular appointment from which he took leave.

Section 11.—The procedure upon application for leave is that prescribed in Part IX.

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Chapter XXVII.—Ecclesiastical Officers.

SECTION I.—BISHOPS.

567. The leave of absence of the Bishops of Calcutta, Madras, and Bombay, is regulated by the following Statutory Rules made under Royal Warrant, dated 4th November 1884, under Statutes 34 and 35 Vict, Cap. 62, and amended by Royal Warrants, dated 28th July 1888 and 11th February 1901.

N.B.—[The italicised headings are introduced merely to facilitate reference and are not in the Statutory Rules.]

Statutory Rules.

1. Bishops may be allowed leave of absence either on medical certificate or on furlough

Leave on Medical Certificate.

2. The amount of leave of absence on medical certificate admissible to a Bishop is limited to two years.

3 Subject to the Limitation in Rule 2 leave of absence may be granted to a Bishop upon medical certificate for a period not exceeding one year Leave so granted may be extended upon medical certificate to any period not exceeding eighteen calendar months.

Furlough.

4. The amount of furlough earned by a Bishop is one-eleventh of the time during which he has been on duty and the furlough due is the amount earned diminished by the amount taken.

[illegible]

6 *Cancelled*

Extraordinary Furlough

[illegible] otherwise admis- [illegible] or on the recom- [illegible] nt of Madras or [illegible]

The grant of such extraordinary furlough will be subject to the limitation that no further expenditure of the revenues of India be thereby entailed, and to the following conditions :—

(a) That the purpose for which the leave is granted shall be specified in the Gazette Notification granting it ;

(b) That a second or subsequent period shall in no case be granted unless 33 months' active service has been rendered after the last preceding period.

[illegible]

6B. Extraordinary furlough under Rule 6A may be prefixed or affixed to ordinary furlough subject to a maximum limit for the combined leave of six months in all.

7. Furlough and leave on medical certificate cannot be taken in continuation of each other; but furlough granted under these rules may be retrospectively changed into leave on medical certificate.

Acting Allowance of Locum Tenens.

7A. A Bishop on long leave in Europe must, if the leave was granted or has been extended on account of ill-health, whether it be technically leave on medical certificate or not, satisfy the Medical Board at the India Office as to his fitness for return to duty. Ordinarily he must

return to India.

8. An Archdeacon or a Chaplain appointed to hold charge of a Diocese during the absence of a Bishop is entitled to an allowance of Rs. 500 a month in addition to the pay of his substantive office.

Absentee Allowance.

9 A Bishop while absent upon furlough or upon leave on medical certificate is entitled to full pay less Rs 500 a month, but not to any other allowances.

Travelling and similar Allowances of Locum Tenens.

10 An Archdeacon or a Chaplain appointed to hold charge of a Diocese during the absence of the Bishop upon leave on medical certificate, is entitled to the travelling and other similar allowances admissible to the Bishop.

Acting Allowances of Locum Tenens of Metropolitan.

per mensem.

Grant of Leave.

12 Leave under these rules may be granted to the Metropolitan by the Governor-General in Council, and to the Bishops of Madras and Bombay by the Governments of those Presidencies on the recommendation of the Metropolitan.

567A. A Statutory Bishop who at the time of his appointment as such was a member of any of the Government services in India and had at his credit furlough without medical certificate under the rules applicable to the branch of the service to which he belonged, may be granted furlough for a period not exceeding the amount so standing at his credit; provided that such furlough shall not be taken until after the completion of two years' actual service as a Bishop, and shall not exceed six months.

568. A Bishop of Madras or Bombay exercising the Episcopal Jurisdiction and Functions appertaining to the See of Calcutta during the vacancy of the See by the demise of the Bishop thereof for the time being, or otherwise, is entitled to the full pay fixed for the office, *viz.*, Rs. 3,831-6-8.

provided that the arrangement does not involve any extra expense to the State beyond what would be incurred if the Bishop were present on duty. He

569A. (*a*) The pension of the Bishop of Calcutta is regulated by the provisions contained in 53 George III, Cap. 155, 4 George IV, Cap. 71, and 6 George IV, Cap. 85; and subject to the conditions and limitations contained therein, he is eligible for pensions not exceeding £1,500, £1,000 or £750 a year after he has rendered active service in India as Bishop for ten, seven and five years, respectively. The pension of the Bishops of Madras and Bombay is regulated by the provisions contained in 3 and 4 Will. IV, Cap. 85; and subject to the conditions and limitations contained therein, they are eligible for a pension of £800 a year on completion of fifteen years' active service in India as Bishop.

(*b*) When a Statutory Bishop, who at the time of his appointment as such was a member of one of the permanent services in India, is permitted to retire without becoming entitled to a statutory pension, he will receive such pension as he might receive under the rules applicable to the branch of the service to which he so belonged and will reckon the period of his service as Bishop towards that pension.

570. The official status of the Bishops of Lahore, Rangoon, Lucknow and Nagpur is that of a Senior Chaplain, and they are subject to all the rules in Articles 573 to 599, except the proviso contained in Article 583 (*a*) (IV). Articles 567, 567A and 569A do not apply to them.

SECTION II.—ARCHDEACONS, AND PRESIDENCY SENIOR CHAPLAINS OF THE CHURCH OF SCOTLAND.

571. The following special allowances are granted to Archdeacons and Presidency Senior Chaplains of the Church of Scotland:—

	Substantive Officers	Officiating Officers.
	Rs.	Rs
Archdeacon of Calcutta, Madras or Bombay . .	266⅔	166⅔
Archdeacon of Lahore or Presidency Senior Chaplain of the Church of Scotland in Calcutta . .	200	100
Presidency Senior Chaplain of the Church of Scotland in Madras or Bombay	150	75

572. (*a*) Formal appointment of the Archdeacon by the Government [illegible] the Government has directed the Archdeacon to undertake the Bishop's jurisdiction or to take charge of the Diocese is sufficient.

(*b*) The allowance of Rs. 500 is paid to an Archdeacon or Acting Archdeacon for holding charge of the Diocese in addition to his allowances as Archdeacon or Acting Archdeacon

SECTION III.—CHAPLAINS.

Residence and Service.

573. (*a*) *Residence* (or *Active Service*) is reckoned, in the case of a Chaplain appointed in England, from the date of his arrival in India; and in the case of a Chaplain appointed while resident in India, from the date on which he takes charge of his office, but he must not assume charge before the despatch from the Secretary of State appointing him is received in India. Residence includes, besides time spent on duty,—

(*i*) Privilege and Subsidiary leave.

(*ii*) Time passed out of employ in India otherwise than on leave.

NOTE.—[Probationary service, whether passed under Government or not, counts as 'Residence' subject to the provisions of Article 576, Civil Service Regulations.]

(*b*) "Service" includes "Residence" and also all time spent on leave of any description, but (except as provided in Article 576) no period before the beginning of "Residence."

Date of Arrival in India.

574. A Chaplain is held to have arrived in India on the date on which he reports his arrival either at the head-quarters of the Diocese to which he is attached (in the case of the Church of Scotland, at the head-quarters of the Presidency to which he is appointed) or at any other station to which he may be appointed or directed to proceed.

575. (*a*) A Chaplain on the Bengal Establishment who is posted in England to the Lahore Diocese or to any station in the Central Provinces, or north of Allahabad, who comes to India *viâ* Bombay, or by direct steamer to Karachi, and who is instructed by the Secretary of State to enquire from the Secretary to the Government of Bombay, or, at Karachi, from the Commissioner in Sind, for orders as to his ultimate destination, is held to have arrived in India on the date on which he reports his arrival at the station to which he is directed to proceed in the orders he receives at Bombay, or at Karachi, if he travels by direct steamer to that port.

(*b*) A Chaplain who is *not* on the Bombay Establishment and who is *not* posted to any station in the Lahore Diocese or to any station in the Central Provinces or north of Allahabad, but who comes out to India *viâ* Bombay, is held to have arrived in India from the date on which he reports his arrival at the Presidency town of the Presidency to which he is attached, or if he receives orders at Bombay to proceed to any particular station, from the date of his arrival at that station.

(*c*) The repc [illegible] Bishop of the Diocese to v [illegible] Church of Scotland report [illegible] lain of the Presidency to which the Chaplain is appointed.

Probationers.

576. A Chaplain serves on probation for three years, at the end of which he is, if reported fit by a Medical Board in India and considered qualified by the Bishop of his Diocese (in the case of the Church of Scotland by the Presidency Senior Chaplain of the Presidency), confirmed as a Junior Chaplain. Time spent in India on service under the Additional Clergy Society, or on other approved service, may be included in the period of probation. Probationary ... which is passed under the Government, counts in all cases towards

No. 122.

Page 163. Article 576.

Substitute the following for the words "A Chaplain......... ...... three years" in the first line of this Article :—

"A Chaplain serves on probation for two years (three years in the case of those who entered the service on or before the 22nd September 1915)"

(5th Edition—Reprint, No. 122, dated 6-6-16)

580. The amount of Furlough "admissible" to a Chaplain is limited to six years. All the rules in this Section are subject to this limitation.

581. The amount of Furlough "earned" by a Chaplain is one-fourth of his Active Service, and (in the case of Chaplains appointed before the 29th July 1906) three months in addition thereto.

582. The amount of Furlough "due" to a Chaplain is the amount which he has earned, diminished by the amount of Furlough which he has enjoyed.

583. (*a*) To a Chaplain who has rendered three years' Continuous Service, Furlough for not more than two years may be granted as follows :—

Firstly, on medical certificate, unconditionally (see Articles 828 to 832 and 836 to 838, for the procedure rules)

Secondly, without medical certificate, subject to the following provisos :—

(*i*) that the Furlough be due to him ;

(*ii*) that he has rendered seven years' Active Service ;

(*iii*) that an interval of not less than eighteen months has elapsed between his last return from privilege leave of over six weeks' duration, and the furlough or privilege leave, if any, with which the furlough is combined. In the case of privilege leave combined with other leave which does not interrupt Continuous Service (Article 22) the period of eighteen months begins to

Page 164. Article 583.

Substitute the words "Government of Bengal and Bihar and Orissa and the Chief Commissioner of Assam (as the case may be)" *for the words* "Government of India" *in line 2 of the penultimate sentence of clause (IV)* of this article and add the words "Madras, Bombay", *in line 3 before the word* "Lucknow".

Also substitute the following for the last sentence of the same clause :—

"In the case of the Church of Scotland, the Presidency Senior Chaplain, Bengal, will report to the local Governments under whom the Chaplains are serving and the Presidency Senior Chaplains of Madras and Bombay to their respective Governments."

(5th Edition—Reprint, No. 211, dated 7-7-17)

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For the words "Lucknow, Lahore or Rangoon" *subs* "Lahore, Rangoon, Lucknow or Nagpur" *in the eleventh li clause (a) (iv) of this Article.*

(5th Edition—Reprint, No 48, dated 6-8-15)

Senior Chaplains of Madras and Bombay to their respective Governments.

(*b*) Furlough taken under this Article may, on medical certificate, be extended to not more than three years.

(*c*) The Furlough of a Chaplain is strictly limited to a period of three years at one time, and cannot be extended even without allowances But the Secretary of State reserves to himself the power of allowing a Chaplain to remain in Europe beyond three years, should special and exceptional circumstances require it.

584. (*a*) To a Chaplain who has not rendered three years' Continuous Service, Furlough may be granted on medical certificate as follows :—

(*i*) If the furlough due exceeds a year—to the extent due, not exceeding two years.

(*ii*) If the Furlough due does not exceed a year—for not more than one year.

(*b*) Furlough granted for less than two years under clause (*a*) (*i*), or less than one year under clause (*a*) (*ii*), may, on medical certificate, be extended to the extent of the Furlough due not exceeding two years, or to one year, respectively.

Furlough Allowances.

585. (*a*) A Chaplain on Furlough is entitled to allowances as follows :—

	Ordinary Furlough.	Other Furlough
	£	£
[illegible]	600 a year.	480 a year.
Senior Chaplain	500 „	381 „
Junior Chaplain	350 „	300 „

0
48

No. 48.

Page 165. Article 585.

For the words "Rangoon or Lahore" *substitute* "Lahore, Rangoon, Lucknow or Nagpur" *in the penultimate line of clause (a) of this Article.*

(5th Edition—Reprint, No. 48, dated 5-8-16.)

(i) the first two years of each separate period of ... 583;

(ii) so much of Furlough under Article 584 as may be due: Provided that the Chaplain has rendered six months' Continuous Active Service.

A Chaplain on Furlough or special leave does not forfeit his past leave allowances by resigning the service without returning to India.

586. A Chaplain returning from Furlough out of India is not granted an advance of allowances for more than thirty-five days beyond the date of embarkation for India.

Special Leave.

587. Special leave on urgent private affairs may be granted at any time for not more than six months:

Provided that a Chaplain who has had special leave must render six years' Active Service before he can again have such leave.

588. For the first period of a Chaplain's Special leave he is entitled to the leave allowance admissible during ordinary Furlough. In subsequent periods he is entitled to no leave allowance.

Subsidiary Leave.

589. The Subsidiary leave of a Chaplain and the beginning and ending of his furlough and special leave are regulated by the rules in Chapter XIII.

590. A Chaplain on Subsidiary leave is entitled to the same allowances ...

No. 123.

Pages 165-166. Article 592.

Cancel the Note under this Article.

(5th Edition—Reprint, No. 123, dated 6-6-16.)

(b) to a Chaplain appointed before the 29th July 1906, as follows :—

(i) After five months' uninterrupted duty.—for not more than one month.

(ii) After ten months' uninterrupted duty,—for not more than two months.

(iii) After fifteen months' uninterrupted duty,—for not more than three months.

NOTE —[Time spent by a Chaplain in Kashmir under Foreign Department Order No. 84, dated 13th March 1863, counts as time spent on duty, except for the purposes of this Article.]

593. Privilege leave to the amount due may be prefixed as such to Furlough, Special leave on urgent Private Affairs, and Extraordinary leave without allowances, under the conditions prescribed in Article 233 · Provided that when Privilege leave is so combined, the amount of the Privilege leave due shall be calculated under the rules in Chapter XII.

594. In applying for Privilege leave, a Chaplain must, except when the leave is combined with other leave under Article 593, record the declaration prescribed in Article 826

1 An officer who has been granted privilege leave in combination with other leave is not permitted to resign the service until a period of at least six months has elapsed from the beginning of his combined leave.

595. A Chaplain may not take Privilege leave under Article 592 (b) in instalments.

596. A Chaplain on Privilege leave is entitled to the same pay and house-rent as if he were on duty ; but a Chaplain appointed on or after 17th of June 1914 is not entitled to house-rent during privilege leave taken in combination with furlough or other long leave.

allowance.

3. The Chaplain's substitute may draw the house-rent, although it is also drawn by the absentee

597. Extraordinary leave may be granted under Article 332.

Benefices in the United Kingdom.

598. (a) A Chaplain in receipt of leave or furlough allowances who desires to accept a benefice in the United Kingdom, or to take up other employment, must obtain the previous permission of the Secretary of State in Council or of the Government of India according as his leave is taken out of or in India.

(b) Should he, after duly obtaining such permission, accept a benefice, his Indian appointment will be deemed vacant on the expiry of any leave which may have b [illegible] e he shall have resigne[illegible] the Secretary of State [illegible] ce is situated to his doing so No extension of leave will under any circumstances

PART V

be granted to a Chaplain drawing leave or furlough allowances who has accepted a benefice in the United Kingdom, unless he has resigned the same before the expiry of such leave or furlough with the consent before mentioned.

NOTE.—[In applying these orders in the case of a Chaplain of the Church of Scotland, the word "Presbytery" should be substituted for the words "Bishop of Diocese" in the fifth line.]

Right and Title to Pension.]

599. Chaplains are entitled to pension according to the following scale :—

Gratuity and Pension on Medical Certificate.

Chaplains appointed before 17th March 1892.	Per annum. £ s. d.	Chaplains appointed after 17th March 1892.	£ s. d.
Seven years' residence and over	127 15 0	Under ten years' residence, for each completed year, a gratuity of	80 0 0
Ten years' residence and over	173 7 6		Per annum £ s. d.
Fifteen years' residence and over	292 0 0	Ten years' and over a pension of	127 15 0
		Fifteen years' and over a	

Page 167. Article 599.

Insert the following as Note 2 at the end of this Article, numbering the present Note as *Note 1* :—

NOTE 2.—A Chaplain appointed at an age exceeding 30 years, is entitled to add to the period of his residence and service for retiring pension under this Article, but not for any other class of pension, the period by which his age may have exceeded 30 years at the time of appointment, provided that five years shall be the maximum period which can be so added.

(5th Edition—Reprint, No. 122, dated 6-6-16.)

Exception.—A Chaplain who, having comp

quent to his appointment as a probationer.

599A. A non-statutory Bishop of Lahore, Rangoon, Lucknow or Nagpur, if not borne upon the ecclesiastical establishment previous to appointment, shall be entitled—

(i) to the pension and gratuity provided for Chaplains in Article 599, subject to the conditions that the gratuity of a Bishop invalided before completing 10 years' service shall be calculated at the rate of £120 per year of completed residence (as defined in Article 573), and that the maximum and minimum of such gratuities shall be £1,080 and £200 respectively;

No. 109.

Page 168. Article 600.

Insert the following after the word "Establishment" *in the fourth line of this Article* :—

or to the Bengal (Calcutta) Establishment and is serving in the Presidency of Bengal.

Insert the following as clause (*b*) under this Article, numbering the present Article as clause (*a*) :—

"(*b*) The Local Government may require a Chaplain to retire at the age of 55 years, provided that he has rendered sufficient service to qualify for a retiring pension under Article 599. Chaplains who entered the service on or before the 22nd September 1915 may, however, be permitted, before being compelled to retire, to enjoy any furlough that may be due to them at the time when they reach the age above-mentioned.

(5th Edition—Reprint, No. 122, dated 6-6-18)

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SECTION IV.—MINISTERS OTHER THAN CHAPLAINS.

602. A Clergyman appointed under the orders of the Government to perform the duties of a Chaplain on the regular establishment is entitled to an allowance of Rs. 100 a month.

603. The allowances of a Clergyman (whether of the Additional Clergy Society or any other recognised Society) are regulated by the Local Government within an annual grant for each Government.

Chapter XXVIII.—Military Officers.(1)

SECTION I.—PAY, ALLOWANCE, AND LEAVE RULES.

604. The acting allowances of Military Officers in Civil employ are governed by the rules in Articles 104 to 116, and the leave of Military Officers

(1) The following is the rule of the Military Department for regulating the treatment of regimental officers selected for temporary employment in certain Civil Departments :—

Clause 129.—With the sanction of the Secretary of State for India, it is notified that a regimental officer selected for temporary employment with a department of the State in an appointment other than those * whose seconding is regulated by the provisions of paragraph 4 of G. G. O. No 811 of 1877, will, on the expiration of a year of such temporary duty, be seconded, provided that the department employing him certifies that there is a fair likelihood of his being brought on the permanent establishment of that department; otherwise he must immediately be returned to his regiment.

* Army or personal staff appointments tenable for fixed periods.

An officer so seconded must either return to his regiment at the end of five years, or be struck off its strength on retention in a department for any period beyond that term.—(*Indian Army Circulars, Military Department, No 1451, dated 20th October 1880.*)

subject to the Civil Leave Rules is granted under the European Service Leave Rules in Chapter XIII.

605. The Local G— ...der Military ... subject

No. 175.

Page 169. Article 605.

Add the following at the end of Note 1 under this A...

"This condition may, however, be relaxed by the Governm... in cases in which its enforcement would, in their opinion, ... hardship to the officer concerned individually or be of mater... tage to the State.

(5th Edition—Reprint, No. 175, dated 10-1-17).

... grant Short Leave (under Civil ... Rules, as the case may be) to a Military Officer subject to the Military Leave Rules.

NOTE 1.—[This Article also applies to officers of the British Service employed in a Civil Department in India.]

NOTE 2.—[Privilege leave in combination with other leave is admissible to a Military Officer in Civil employ under the conditions and limitations in Article 233, but not under the military rules promulgated with India Army Order No 64, dated 1st February 1904.]

NOTE 3.—[A Military Officer employed in the Army Department Secretariat of the Government of India, or as Private Secretary to a Lieutenant-Governor, or as an A.-D.-C. appointed from Military employment, is not entitled to privilege leave under Chapter XII of these Regulations.]

607. No other leave of absence may be granted under the Regulations in Part III to a Military Officer subject to the Military Leave Rules.

I. An officer proceeding on furlough or leave under Military Leave Rules forfeits, *ipso facto*, his lien on any acting appointment. Consequently, a Military Officer in Civil employ, with no substantive appointment in the Civil Department, loses, on proceeding on such furlough or leave, his lien on any temporary or officiating appointment in the Civil Department that he may have held if he has to revert to Military employ in order to obtain the leave.

608. No leave can be granted, under the rules in Part III, to a Departmental Officer or Warrant Officer, except under Article 606.

609. The allowances of a Military Officer subject to the Military Leave Rules during Subsidiary leave are regulated as if he were subject to the Civil Leave Rules: Provided that—

(i) If under the action of the Leave Rules such an officer has lost his lien on his appointment, he draws allowances under Military Leave Rules during his Subsidiary leave.

(ii) His allowances on Subsidiary leave must not be less than his allowances during the Furlough to which the leave is subsidiary.

NOTE.—[The subsistence allowance of a Military Officer subject to the Military Leave Rules is that prescribed in Article 108 (b).]

610. Subsidiary leave preparatory to his retirement from the service may be granted to a Military Officer subject to the Military Leave Rules, provided such leave does not vitiate his claim to retire on *the date fixed*.

absentee allowances of a Military Officer in Civil employ on leave other than privilege leave becomes a Military charge, and he becomes subject to Military Rules on his fifty-fifth birthday, whether his leave was granted in the Military or the Civil Department.

NOTE.—[In the case of a Military or Naval Officer in Civil employ, who reverts to Military employ under the operation of the rules in this Section, privilege leave cannot be granted at the end of the service in the Civil Department for any period which will expire within the three months previous to his reversion.]

(*b*) In applying clause (*a*) to Medical Officers of the administrative grades, namely, Surgeon-Generals and Colonels, "sixty" or "sixtieth," as the case may be, should be substituted for "fifty-five" or "fifty-fifth."

Chapter XXIX.—Civil Veterinary Department.

NOTE.—[The rules contained in this Chapter apply only to those officers of the Civil Veterinary Department who were transferred to it from the Army Veterinary Department.]

Acting Allowance and Leave Rules.

621. Officers officiating in the Department draw the pay of their Military rank *plus* half the Civil allowance attached to that rank.

622. The leave and leave allowances of Civil Veterinary Officers are regulated by the rules in Chapter XIII applicable to Military Officers subject to the Civil Leave Rules, with the following special conditions :—

(*a*) Officers on ordinary furlough, or on special leave carrying allowances, draw half the pay of their military rank *plus* half their civil allowances, subject to the limits laid down in Article 314 for Military Officers subject to the Civil Leave Rules.

(*b*) Civil Veterinary Officers are treated, in applying the rules mentioned, as if they had, before entering the Civil Department, been subject to the leave rules for the Indian Army (1886) from the date of their arrival in India.

NOTE 1.—[For the purposes of this rule, the date of arrival in India must be held to be the date of arrival on the last tour of service.]

[illegible] Department or have officiated [illegible] Rules; but [illegible] s all service [illegible] nto the Civil [illegible] ve or officiat- [illegible]

Pension Rules.

623. The pension rules of the Civil Veterinary Department are as follows :—

(*a*) No officer becomes qualified for pension under the scale fixed for the Department until he has rendered ten years' service in it.

(*b*) Pensions are granted at the rates prescribed for the Army Veterinary Department by the Army Regulations in force for the time being *plus* an addition made on the following scale :—

	£	
After 10 years' service in the Civil Veterinary Department	72	a year.
,, 15 ,, ,, ,, ,, ,,	96	,,
,, 20 ,, ,, ,, ,, ,,	120	,,

(*c*) Leave, apart from privilege leave, counts as service qualifying towards pension to the extent of two months for every year of actual service.

(*d*) Retirement is optional after twenty years' service and allowed on medical certificate after fifteen years' service An officer, who resigns the Civil Veterinary Department before retirement, forfeits all claims to pension under the scale fixed for the Department.

Officers retiring before having completed ten years' service in Civil employ are dealt with under Military rules for pension or gratuity. In the case of an officer invalided before completing ten years' service in the Civil Veterinary Department, [illegible] Military rules is increased in the [illegible] bear to the total Military allow[illegible]rvice in India.

NOTE.—[Previous service in an appointment absorbed in the Civil Veterinary Department counts as service rendered in that Department for the purposes of this rule]

624 The rules in Chapter XXVIII relating to the retirement of Military Officers in Civil employ upon attaining the age of 55 years apply to Army Veterinary Officers in the Civil Veterinary Department

625. *Cancelled.*

Family Pensions.

626 The family of a Civil Veterinary Officer recruited from the Veterinary Staff of the Army is eligible for pension under the provisions of the Royal Warrant, "Pay and Non-effective Pay," applicable to the families of Army Veterinary Officers

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Chapter XXX.—Civil Engineers and Telegraph Officers.

SECTION I.—PAY AND LEAVE ALLOWANCES

627 The rules in this Chapter apply, to the extent stated in the several Articles, to the following officers .—

(*a*) Officers of the Public Works, Railway and Telegraph Departments appointed from the Royal Indian Engineering College at Coopers. Hill.

(*b*) Stanley Engineers

(*c*) Other Civil Engineers and Telegraph Officers appointed by the Secretary of State.

(*d*) Indian College Engineers appointed in India.

(e) Other Civil Engineers not of purely Asiatic descent appointed in India.

NOTE—[Section III of the Chapter applies not only to the Civil Engineers and Telegraph Officers enumerated in the Article, but also to the following classes:—

(a) Superior Civil officers of the Telegraph Department not included in clauses (a) and (c);
(b) Civil Engineers of the class described in clause (e) who are of pure Asiatic descent.]

Commencement of Service.

628 If a Coopers Hill Engineer lands in India on or before the 1st December of the year in which he passes out of College, his service counts from the preceding 1st October, unless another date should be specified in his letter of appointment.

629. If a Coopers Hill Engineer is, after completing his three years' residence at College, required to go through a course of practical engineering in England under a Civil or Mechanical Engineer, his service, unless another date should be specified in his letter of appointment, will reckon from the commencement of the practical course, or from such later date as will be consistent with the regulation that he may count as service towards pension the time spent on such practical course to the extent of one year only.

630. The service of a Coopers Hill Engineer, whose case is not provided for in Article 628 or 629, and who does not land in India by the 1st December, and that of any other Civil Engineer appointed by the Secretary of State, counts from the date on which he lands in India.

631. The service of an officer appointed to the Telegraph Department, after training or competitive examination, by the Secretary of State, begins as follows:—

(i) If appointed after competitive examination, from date of covenant.

(ii) If appointed after training at Coopers Hill, from date of sailing of vessel selected by the Secretary of State, or 1st October in the year of passing out of the College, whichever is named in his letter of appointment, provided that he reaches India within two months of that date or other approximate date named in his letter of appointment; otherwise from date of arrival in India.

632. The service of an officer appointed in India begins ordinarily from the date on which he takes charge of the office to which he is first appointed.

Rules regarding Pay and Allowances and Leave.

633. Unless there be something repugnant in the subject or context, the rules in Part II govern the pay and allowances of officers to whom the rules in this Chapter apply, the acting allowance rules applicable to them being those in Chapter VI.

634. The Civil Engineers and Telegraph Officers whose leave is regulated by the European Service Leave Rules (Chapter XIII) are enumerated

in Article 297, clauses (c) and (e). The leave of all other officers is regulated by the Indian Service Leave Rules (Chapter XIV).

SECTION II.—PENSION RULES.

635. The rules in this Section apply to all officers of the classes described in clauses (a) to (c) of Article 627.

1. Officers of the Indian Telegraph Department, who may be transferred to the Indo-European Telegraph Department, retain the pensionary privileges of their own branch of the department.

NOTE 1.—[The rules in this Section apply to Mr J H. C. Kelly of the Indo-European Telegraph Department and to Mr. T. Ryan of the Indian Finance Department]

NOTE 2.—[The rules in Article 643 apply to all classes of officers of the Public Works, Railway and Telegraph Departments.]

636. The pensionary claims of Indian College Engineers and of other Civil engineers (whether of purely Asiatic descent or not) appointed in India, and of Telegraph Officers not included under clauses (a) and (c) of Article 627, are governed by the ordinary rules in Part IV. But in the case of officers of this class who may rise to the rank of Superintending Engineer, or in the Indo-European Telegraph Department, of Director, the Government of India will be prepared to consider favourably their admission to the pension rules, including those contained in Article 642, applicable to the officers specified in Article 635 ·

Provided that Civil Engineers and Telegraph Officers who are members of the Provincial Services of the Public Works, Railway and Telegraph Departments are not eligible for the concession described in this Article.

1. The concession made under this Article does not affect the operation of the rules which determine the age from which qualifying service begins

637 The Government of India may, on special grounds, recommend for sanction of the Secretary of State the grant of an invalid pension on the scale below to an officer belonging to the classes referred to as appointed in India in Article 627, provided that he be not of purely Asiatic descent. This Article does not apply to officers of the Provincial Service.

Not less than Rs 1,000 or more than Rs 2,000 a year.

If the qualifying service of the officer be not less than—	*Forty-fifth part of the officer's Average Emoluments.*
10 years	10
11 "	11
12 "	12
13 "	13
14 "	14

638 Unless there is something repugnant in the subject or context, the rules of Part IV apply to officers defined in Article 635, but they are modified in the points noted in the following Articles.

639 The rule which excludes service under the age of twenty years does not apply to the officers defined in Article 635 or to Indian College Engineers.

PART V.

640 Privilege leave and Subsidiary leave count as service. Other le... counts to the extent stated in Article 408.

641 The following special scale of pensions is admissible to the o... defined in Article 635 —

(*a*) After a service of less than ten years an invalid gratuity on the s... laid down in Article 474 (*a*)

(*b*) After a service of not less than ten years an invalid pension exceeding the following amounts —

Years of completed service	Scale of Pension	Maximum limit of Pension	
		Rs	Rs
10	20 sixtieths of Average Emoluments	1,000 a year or 83⅓ a ...	
11	21 " "	1,100 "	116⅔ "
12	22 " "	1,800 "	150 "
13	23 " "	2,200 "	183⅓ "
14	24 " "	2,600 "	216⅔ "
15	25 " "		
16	26 " "		
17	27 " "	3,000 "	250 "
18	28 " "		
19	29 " "		

(*c*) After a service of not less than twenty years, a retiring pension exceeding the following amounts —

20 to 24	30 sixtieths of Average Emoluments	4,000 a year or 333⅓ a m...
25 and above		5,000 " 416⅔ " "

Special Additional Pensions.

642. One or other but not both of the following special additional ... sions, over and above those allowed in Article 641, may be granted by ... Local Government to officers of the classes specified in Article 6... limited in the case of the Engineer Establishment to those appointed ... later than 1898 and of the Telegraph Department to those appointed n... later than 1897, as rewards of approved service in the responsible p... mentioned below :—

(*a*) Additional pensions of Rs 2,000 per annum to those who have serve... three years as,—

(*i*) Secretary to the Government of India, Public Works Department.

(*ii*) Chief Engineers, or officers who may have been graded as such.

(*iii*) Director-General, or next senior officer (including Deputy Director General prior to the introduction of the reorganization sch... on 1st April 1910) in the Indian Telegraph Department.

(*iv*) Managers, North Western, Oudh and Rohilkhand and E... Bengal State Railways.

[illegible]
rule [illegible]
the [illegible]
ratio to the full pension of Rs 2,000, as the number of complete months' service in the grades referred to in this clause bears to the full period of three years.]

PART V.

(*b*) Additional pensions of Rs. 1,000 per annum to those who have served three years as—

(*i*) Superintending Engineers.

(*ii*) Directors of Telegraphs, 1st, 2nd and 3rd class; the senior Director of Telegraphs, 4th class; and the Electrical Engineer-in-Chief of the Indian Telegraph Department. Also, Directors of Construction and Traffic, Deputy Directors of Construction and Traffic, and Chief Superintendents in that Department prior to the introduction of the re-organisation scheme on 1st April 1910.

(*iii*) Directors of the Persian and Persian Gulf Telegraphs in the Indo European Telegraph Department.

NOTE 1.—[For the purpose of awarding these special additional pensions, Civil Engineers of the classes enumerated in Article 635, in Class I of the State Railway Revenue establishments, the Deputy Secretary to the Government of India, Public Works Department, ...ngineers holding the appointment of Under Secretary, Civil Works Branch, in that De... to the 6th February 1914 are treated as of equivalent rank to a Superintend...

...ian Finance Department will be eligible to count service
...ioned in this Article, from the date on which he
...Superior Accounts Branch of the Public
...]

...of the Indo-European Telegraph
...ppointed thereafter come wholly

...ditional pensions cannot be claimed
...f the Local Government as rewards
...in Form No 26 (Pension).]

...l pensions under Article 642
...onal pensions may be allowed

...um to those who have rendered
... in the following appointments,
...ice the officer has shown such
...red deserving of the concession.
... service after the 31st December
... subject to the further condition
...irement, have completed twenty-
...y retirement for the purpose of
...r Articles 465 and 641 (*c*).

..., Public Works Department.

... and Railway Departments.

Dir... d class; and Electrical Engineer-in-... partment; provided that in the case of ... ars of service have been rendered on a pay of ... 1,950 a month.

Superintending Engineers, ... Public Works and Railway Departments.

Deputy Secretary to the Government of India, Public Works Department.

Director-in-Chief of the Indo-European Telegraph Department, when the office is held by a member of either the Indian or the Indo-European Telegraph Department.

Deputy [illegible]
a[illegible]
S[illegible]
Rs. 1,500 a month.

644. (*a*) An officer who holds a qualifying appointment substantively counts all active service, whether in the appointment, or in an appointment of corresponding rank and responsibility in foreign service, or on deputation on special duty or in a temporary appointment. He also counts periods of privilege leave taken by him during such service. but periods of leave other than privilege leave do not count

(*b*) All officiating and temporary service in a qualifying appointment, falling within any of the classes mentioned in clause (*a*), including periods of such service passed on privilege leave, counts with the exception of periods during which an officer officiates for another absent on privilege leave.

645. *Cancelled.*

SECTION III —COMPULSORY RETIREMENT.

646. The tenure of the appointment of Director-General of Telegraphs is limited to five years. Extensions of this term can be sanctioned by the Secretary of State alone.

647. No Chief Engineer of the Engineer Branch of the Public Works or Railway Department, nor any officer of corresponding rank in the Superior Revenue Establishment of State Railways, nor any officer holding the office of Secretary or Deputy Secretary to the Government of India in the Public Works Department, can, without re-appointment, hold the same post for more than five years.

NOTE.—[The period of five years referred to in Articles 646 and 647 begins to run from the date on which the officer first becomes entitled to draw the full pay of the appointment whether holding it substantively or only in an officiating capacity. provided that if officiating he is confirmed in the appointment without a break of service]

648. The following rules apply to officers, whether Civil or Military, holding the appointments enumerated below :—

Secretary to the Government of India, Public Works Department.

Chief Engineers, class I, who have held one appointment with that rank for five years continuously.

(1) An officer who is granted a special extension of time in any high appointment in the Public Works, Railway or Telegraph Department, the tenure of which is limited by rule, shall not be allowed any leave during such extension except privilege leave ;

and, should longer leave be necessary on account of ill-health, urgent private affairs, or other cause, the extension shall, *ipso facto*, cease from the departure of the officer on such leave.

(2) An officer who has served his full time in any of the above appointments, who is not given an extension, and for whom no other suitable appointment is available, or who vacates his appointment under rule (1), may be allowed any leave admissible under rule.

Page 179. Article 649.

Substitute the following for this Article :—

649. The compulsory retirement of Civil Engineers of the Public Works Department or the Engineering Department of State Railways, who are proved to be unfit for further advancement, is regulated by Article 353-A. But any Civil Engineer of these Departments, who on reaching the age of 50 years has not attained the rank of Superintending Engineer, is liable to be called on to retire by the Government of India

(5th Edition—Reprint, No. 220, dated 8 8-17)

existing Note as Note 1.

The Government of India are empowered in special cases to extend the services of Chief Engineers of the Public Works Department for a period not exceeding three months.

(5th Edition—Reprint, No. 84, dated 5-1-16)

No. 204

Page 179. Article 651.

Substitute the following for this Article:—

651 The following law officers are entitled to the special privileges detailed in this chapter:—

An Advocate-General, a Standing Counsel, an Official Trustee, an Official Assignee.

A Receiver of a High Court, an Officer of a High Court who holds an appointment which by law can be held only by a Barrister.

A Secretary or an Assistant Secretary in the Legislative Department to a Local Government.

A Remembrancer; Deputy Remembrancer or an Assistant Remembrancer of Legal Affairs.

A Government Advocate and an Assistant Government Advocate

A Clerk of the Crown, a Government Solicitor, a Government Pleader and a Government Prosecutor

(5th Edition—Reprint No. 204, dated 9-6-17)

... allowances of a Law Officer who is a member of the Indian Civil Service, or a Statutory Civil Servant, are regulated by the rules applicable to the service to which the officer belongs.

653. A Government Pleader or Government Prosecutor is entitled to such leave of absence and allowances when on leave, and to such acting

allowances as the authority who appoints him may think fit to grant, provided that no extra expense be caused to the Government.

Officers on full-time Salaries.

654. The leave of absence and acting allowances of a Law Officer who is not a member of the Indian Civil Service, or a Statutory Civil Servant, or a Government Pleader, or a Government Prosecutor, but whose pay is fixed, and whose whole time is retained for the service of Government, are regulated as if he were a member of the Indian Civil Service.

Officers retained on fixed Allowances.

655. The leave of absence and acting allowances of a Law Officer who is not a member of the Indian Civil Service, or a Statutory Civil Servant, or a Government Pleader, or a Government Prosecutor, whose pay is fixed, but whose whole time is not retained for the public service, are regulated by the following rules :—

Active Service.

1. "Active Service" includes, besides time spent on duty, leave of absence taken under Rule 3, and Subsidiary leave of absence taken under Rule 8.

Application.

2. An application for leave of absence must be submitted through the officer who passes his pay to the authority to whom the officer is directly subordinate.

Leave during Vacation.

3. Leave of absence during the vacation of the High or Chief Court within whose jurisdiction the officer serves may be granted without deduction of pay, provided that no expense be caused by the grant of such leave.

Medical Certificate.

4. Leave may be granted on medical certificate for a period not exceeding one year, and leave so granted may, on medical certificate, be extended to twenty months.

5. Leave of absence on medical certificate may not be granted again until after three years' "Active Service"

Private Affairs

6 Leave of absence on private affairs for a period not exceeding six months may be granted once only to an officer who has rendered six years' "Active Service."

Furlough

7. After four years' "Active Service" Furlough without pay, but with retention of appointment, may be granted for a period not exceeding one year.

Subsidiary Leave.

8 In very urgent cases, Subsidiary leave of absence may be granted under Chapter XIII, provided that no expense be caused by the grant of such leave.

Commutation of Leave.

9 Excepting Subsidiary leave, no kind of leave may be granted in continuation of any other kind of leave; but any leave granted under these rules may be retrospectively changed for any other kind or amount of leave which might at first have been granted.

PART V.

Commencement and Termination of Leave.

10. If an officer who has obtained leave of absence makes over charge of his office before noon, his leave begins on, and includes, the day on which he makes over charge; otherwise, it begins on, and includes, the following day.

11. If an officer resumes charge of his office after noon, his leave of absence ends on, and includes, the day on which he resumes charge; otherwise, it ends on, and includes, the day before he resumes charge.

Leave Allowances.

12. An officer while on leave under Rule 4, 5 or 6 is entitled to half-pay: Provided that his maximum leave allowance shall be, if paid in India, Rs. 833⅓ a month, and if paid at the Home Treasury £250 a quarter.

NOTE.—[An officer compelled to take leave out of India under Rule 4, 5 or 6 owing to ill-health is entitled to the benefits of Article 342. In applying that Article the word "pay" should be substituted for the word "salary."]

Acting Officers.

Rs. 2,000.

(b) Provided that—

(i) The minimum salary of a Standing Counsel at Calcutta is Rs 1,000 a month, and that of Assistant Legal Remembrancer, Punjab, Rs. 450 a month.

(ii) The minimum salary of a Government Advocate at Lahore, Allahabad, Rangoon, or Moulmein is three-quarters of the pay of the appointment.

Deputation Vacancy.

14 An officer officiating for an officer deputed to act in another appointment or on special duty is entitled to two-thirds of the pay of the appointment in which he officiates, *plus* one-third of the pay of his own substantive appointment if any.

NOTE —[The Government of India may, in special cases, increase the allowance under this rule to an amount not exceeding the full pay of the appointment]

Combination of Offices.

15. If an officer holds more than one appointment, his salary is regulated by Chapter VIII.

Officers paid by Fees.

656. Leave may be granted under the rules in the preceding Article to a Law Officer who is paid by fees, whether his whole time be retained for the service of Government or not, on condition that he makes such arrangements for the performance of his duties as are satisfactory to the authority by which he is appointed, and on condition that, in case of his obtaining leave on private affairs under Rule 6, the officiating officer shall receive the whole of the fees attached to the office.

Other Officers.

657. An officiating Law Officer who is not subject to the foregoing rules, draws, as acting allowance, the difference between the allowance attached to the appointment and the portion of it drawn by the absentee for whom he officiates: Provided the maximum salary (see Article 96) is not exceeded.

Extraordinary Leave.

658. Extraordinary leave under Article 332 may be granted to the officers in this Chapter.

Chapter XXXII.—State Railway Establishments.

SECTION I.—REVENUE ESTABLISHMENTS.

Classification of Service.

659. In the State Railway Revenue Establishment the different classes of service are as follows:—

(a) *Permanent pensionable,*—that is, service in all permanent appointments made before 1st September 1881, and service of officers, such as Civil Engineers and members of the Engineer and Upper Subordinate Establishment, who may be transferred to the Revenue Establishment, as Managers, etc., even after 31st August 1881.

The service of an officer in the Traffic Department (appointed before 1st September 1881), before he passed the test examination, does not qualify.

NOTE 1.—[If, after 1st September 1881, it is considered advisable to employ on a State

status]

(b) *Permanent non-pensionable,*—that is, service in all permanent appointments made after 31st August 1881, except as allowed for in clause (a).

(c) *Temporary.*—that is, service in appointments made from time to time for periods not exceeding twelve months according to the requirements of traffic.

(d) *Special service,*—that is, service of engine-drivers, firemen and mechanics, etc., under covenant with the Secretary of State, or who, on the expiry of the term of their covenant, have renewed their engagement under a covenant with the Government of India.

660. A subordinate officer transferred before 1st September 1881 from the temporary to the permanent Revenue Establishment of a State Railway may, with the sanction of the Local Government, count towards pension the whole or a part of so much of his temporary service as immediately preceded his qualifying service without interruption.

Ordinary Leave Rules.

661. (*a*). Leave on medical certificate with half-pay to the extent of sixty days in any calendar year may, in addition to any leave admissible under the Indian Service Leave Rules in Part III, be granted, at the discretion of the Manager, to drivers and other subordinate employés of the State Railway Revenue Establishment, whose service is classed as *Permanent "pensionable"* or *"non-pensionable"* under clauses (*a*) and (*b*) of Article 659, and who are not employed exclusively on in-door work, provided the illness has not been caused by the man's misconduct.

(*b*) It may be granted without prejudice to Privilege leave and in continuation of Privilege leave, or *vice versâ*. (*See also Rule 1 under Article 260.*)

(*c*) The leave thus granted is included in the leave to which the limit of three years prescribed in Article 336 applies

NOTE —[The sixty days' leave on medical certificate admissible under this Article is not subject to the restrictions contained in Article 345, and may be granted after the age of 55 years has been attained]

662. Leave to members of superior and subordinate State Railway Revenue Establishments classed as "pensionable" or "non-pensionable" under clauses (*a*) and (*b*), Article 659, other than those referred to in the preceding Article, is governed by the ordinary leave rules for European or Indian Services (as the case may be) laid down in Part III.

Special Service Leave Rules.

Page 183. Article 663.

Insert the following Note under this Article:—

NOTE.—[The Government of India may delegate the powers of a Manager of State Railways under this Article to Heads of Departments of State Railways]

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in one calendar year, provided that the illness has not been caused by misconduct. This leave may be granted without prejudice to privilege leave, and in continuation of privilege leave, or *vice versâ* (*See also Rule 1 under Article 260.*)

(*c*) In the case of deserving men, the Manager may extend the leave on medical certificate admissible under clause (*b*) to a maximum of six months in one calendar year.

664. The Manager may grant furlough according to the following scale to any of the officers mentioned in the preceding Article who can be conveniently spared :—

(*a*) A first furlough for a period not exceeding—

12	months, after	7 years' service.	
14	ditto	8	ditto.
16	*ditto*	9	*ditto.*
18	ditto	10 or more	ditto.

(*b*) A second or subsequent furlough for a period not exceeding—

6	months, after	3	years' further service,	dating from the expiration of the previous furlough, or sick leave.
8	ditto	4	ditto,	
10	ditto	5	ditto,	
12	*ditto*	6	*ditto,*	
14	ditto	7	ditto,	
16	ditto	8	ditto,	
18	ditto	9	ditto,	

(*c*) The period of service upon which furlough may be granted is to be exclusive of time spent on leave of absence of any kind whatever except privilege leave. No second or subsequent furlough shall be granted till after a further actual service of three years, commencing from the date of the expiration of the previous furlough ; and no single furlough shall be granted for a longer period than eighteen months.

(*d*) An officer on furlough is entitled to half the substantive pay of his appointment, excluding all allowances except personal allowances.

NOTE.—[An officer compelled to take furlough, or leave on medical certificate, out of India owing to ill-health is entitled to the benefits of Article 342 In applying that Article the term "pay" should be substituted for "salary."]

(*e*) The service towards first or subsequent furlough is not cancelled by the grant of sick leave ; but an interval of three years of service must elapse between the return of an officer from sick leave lasting more than sixty days and the grant of any furlough that may be due to him.

(*f*) When an officer has earned either first or subsequent furlough, if from any cause it may be found inconvenient to grant him the whole of the furlough earned, an instalment may be granted, leaving the balance at his credit to be taken when convenient, subject, however, to the maximum limit of eighteen months prescribed above.

Leave in consequence of Accidents.

665. To subordinates on salaries not exceeding Rs. 250 a month, leave in India on full pay may be granted by Managers of State Railways in addition to any leave otherwise admissible for the period during which they may be absent from duty for medical treatment, in consequence of accidents met with in the execution of duty, subject to a limit of six months and to record *in the minutes of official meetings.* The period of absence is treated *entirely*

as duty and does not interrupt privil... allowance of the character of salary or ...

Labourers ... other than ...ntributions

Page 185. Article ...

10
4

...tribution and full

Insert the following Note under this Article

NOTE.—[The Government of India may delegate ... Railways under this Article to Heads of Departments of ...

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...duty.

Recovery of Advances.

667. (*a*) Advances whether made in India (*see Article* ... Home Government should be recovered by monthly in... salary except in the case of Covenanted Mechanics, ... from whom the recoveries shall be in monthly instalments ... salary. ... their ...es :—

(*b*) In the case of Covenanted Engine D...

...ren ...ion

...e.

* *Exception.*—The pensionable service of officers who, before the 21st July 1880, were ... ferred from permanently sanctioned posts, not attached to railways under construction ... is in no way prejudiced by their fresh employment, and they will continue to enjoy their ... to pension even if transferred from the line on which they were on that date engaged to any ... line under construction

SECTION III.—OTHER OFFICES.

669. The services of all clerks appointed after the 31st January ... to all Consulting Engineers' and Port Storekeepers' Offices, and of all Acc...ants and clerks appointed after the 16th July 1889 to any of the Offi... Examiners of Guaranteed Railway Accounts, do not qualify for pensio... transferred from a permanent pensionable post.

P

SECTION II.—PENSION RULES.

Retiring Pension.

678. After an actual service of thirty years in India, a Pilot is entitled to a Retiring pension according to his rank, as follows :—

	Rs.
Branch Pilot	200 a month.
Any lower rank	100 „

Invalid Pension.

679. Upon a certificate (in the form prescribed in Article 445 or 447, as the case may require) of incapacity for further service, from the Medical Board at the India Office, or from the Administrative Medical Officer in Calcutta, or from a Medical Committee over which the Administrative Medical Officer should, when practicable, preside, a Pilot is entitled to an Invalid pension, according to his rank, as follows :—

		Rs.
Branch Pilot		200 a month.
Master „		100 „
Mate „		60 „
Leadsman Apprentice	(1) *Appointed before 3rd Oct. 1909*	30 „
	(2) Appointed on or after ditto	A gratuity on the scale laid down in Article 474 (*a*).

680. A Pilot retiring on an Invalid pension while absent on leave in England or in the Colonies will receive the pension of the rank which he held when his leave began, unless he has been promoted within twelve months from that date, in which case he will receive the pension of the rank to which he has been thus promoted.

Superannuation Pension.

681. A Pilot who has attained the age of 55 years may be required to retire unless the Local Government considers him efficient and permits him to remain in the service. But as the premature retirement of an efficient officer imposes a needless charge on the State, the rule should be worked with discretion. A Pilot who has attained the age of 55 years may not at his option retire from the service on a Superannuation pension. In every case the question whether retirement should be allowed is one for settlement by the Local Government.

682. The scale for Superannuation pensions is the same as that laid down in Article 679 for Invalid pensions.

Leave Counting as Service.

682A. Time passed on leave with allowances counts as service under the conditions and limitations prescribed in Article 408 of these Regulations.

SECTION III.—FAMILY PENSION RULES.

Contributions.

683. (*a*) Members of the Bengal Covenanted Pilot Service, other than those described in clause (*b*), must make the following monthly contributions towards the cost of pensions for their widows and orphans :—

Branch Pilot	Rs 40	Mate Pilot	Rs. 10
Master „	„ 20	Leadsman Apprentice	„ 4

(*b*) The Pilots whose names are entered below, by monthly contribution of Rs 16 each, secure for their widows pensions of Rs. 100 a month and full pension for their children :—

Anderson, G M	Hudson, E. F.	Williams, W R.
Christie, J.	Raynor, E. T.	

Amount of Pension.

684. Pensions are granted to the widows of Pilots married before their husbands retired on pension from the Service at the following monthly rates :—

	Rs.		Rs
(*i*) The widow of a Branch Pilot	100	(*iv*) The widow of a Leadsman Apprentice	15
(*ii*) „ „ Master „	50		
(*iii*) „ „ Mate „	30		

685. Pensions are granted at the following monthly rates to the children of Pilots of all ranks by wives married before their husbands retired on pension from the service :—

(*a*) To each son until the age of fifteen years	Rs 12
(*b*) „ daughter until the age of ten years	„ 14
(*c*) „ „ over the age of ten years until marriage	„ 20

686. A wife married to a Pilot after his retirement on pension from active service and her children are entitled to no pension.

Miscellaneous Rules.

687. To entitle widows and orphans to pensions, Pilots must forward to the Port Officer certificates of their marriage, and of the births and baptisms of their children, within a month of the occurrence thereof Notices of death are in like manner to be forwarded to the Port Officer.

688. Subscriptions by a Pilot for the purpose of securing pensions for his wife and children are refunded in the event of his resignation or dismissal.

689. Widows and female orphans above the age of 15 years must forward to the Accountant-General, Bengal, declarations, half-yearly, in May and November, that they are not married, and that they have not been married at any intervening period. The declarations are to be countersigned by the Executor to the estate of the deceased member of the Pilot Service or pensioner, or by the guardian of an orphan, and by a member of the Pilot Service, or a person exercising any of the powers of a Magistrate, or of a Minister of Religion, certifying to the truth of the declaration to the best of their knowledge and

belief. Forms of the declaration will be furnished on application to the Accountant-General, Bengal.

690. If a widow pensioner marries, her pension ceases during her coverture, but in the event of her again becoming a widow, she is readmitted to the pension to which she was entitled during her first widowhood unless her second husband was a member of the Pilot Service, and at his death of a higher grade than her first husband in which case she is entitled to the pension of the higher rank.

691. No widow who may have been legally divorced or separated from her husband for adultery, or who, at the period of her husband's demise, may have quitted his protection and be living in a state of notorious adultery, though not divorced or separated from him by law, or who, after her husband's decease, may be living in a notorious state of incontinence, and no female orphan living in such a state shall be entitled to receive, or continue to receive, any pension under these rules

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SECTION IV.—RATE OF EXCHANGE FOR PENSIONS.

692. (*a*) The pension of a Pilot who was in the service prior to the 30th August 1883, if drawn in England or in the Colonies, is payable at the rate of 1*s*. 11*d*. per rupee.

(*b*) The pension of the family of a Pilot who was in service on the 15th September 1881, if drawn in England or in the Colonies, is payable at the rate of 1*s* 11*d*. per rupee

(*c*) The pension of a Pilot or of the family of a Pilot, who was appointed to the service after the dates named in clauses (*a*) and (*b*), is payable at the rate of exchange fixed yearly for the adjustment of financial transactions between the Imperial and Indian Governments.

Chapter XXXIV.—Port Blair Police.

Leave Rules.

693. (*a*) Privilege leave on full pay may be granted to subordinate Police officers and men as under—

(*i*) Two months after thirty months' consecutive service.

(*ii*) Three months after thirty-six months' consecutive service.

(*b*) Such leave, if taken to India, may be overstayed without forfeiture of pay by such period not exceeding eight days as may intervene between the end of the leave and the date preceding that on which the next mail steamer leaves Calcutta for Port Blair.

(*c*) Privilege leave to the amount due may in the case of Inspectors be prefixed to furlough, leave on medical certificate and extraordinary leave without allowances under the conditions prescribed in Article 233.

697. The total number of men absent from duty at one time on leave other than privilege leave shall not exceed ten per cent. of the Force.

698. Absence from duty while ill in hospital in the Andamans or Nicobars does not interfere with the grant of any leave admissible under this chapter and does not count as such leave. Absentee allowances are granted as follows:—

(a) Subordinate officers . . The allowances admissible under Article 695.

(b) Havildars, Naiks and Sepoys . Full pay.

699. (a) Policemen proceeding to India on leave of any description should ordinarily be employed on the voyage in guarding transferred convicts.

(b) On the expiration of their leave, they will report themselves to the Commissioner of Police, Calcutta, with a view to their employment as convict guards on the return journey.

700. Deck passages without diet by sea or river steamer and third class accommodation by rail are granted—

(a) To the families of subordinate officers for the initial journey to Port Blair on payment of one-third of the passage money and railway fare.

(b) To the families of non-commissioned officers and men who have received permission from the Commandant of the Force to bring their families to the Andamans for the initial journey free of charge.

NOTE.—The Commandant's power to give such permission is limited to 10 per cent. of the total strength of non-commissioned officers and men.

(c) To all ranks proceeding on or returning from leave on private affairs or medical certificate free of charge.

(d) To the families of all ranks accompanying the head of the family to and from his home when proceeding on and returning from leave of any kind on payment of the single fare for the journey.

NOTE.—"Family" includes children, one wife and one relative.

Pension Rules.

701. Members of the Force are entitled to pensions under the Regulations in Part IV, for the calculation of ordinary pensions for Superior service. Native officers, Non-Commissioned officers and Sepoys of the Indian Army recruited direct from the Army and whose services are obtained on special application, count their previous Army service as qualifying service under the rules in Part IV, provided they complete 10 years' qualifying service in the Force. Those who retire before completing 10 years' such service are granted the military pension of their rank—their service in the police being included as qualifying under Military rules.

702. Time spent in hospital by Sepoys, Naiks and Havildars of the Force, during which they receive full pay under Article 698, does not qualify for pension.

Travelling Allowance Rules.

702-A. The rules in Part XI of these Regulations apply, with the exception that Jamadars and Subadars are entitled to second class accommodation.

(5th Edition—Reprint, No. 182, dated 5-2-17.)

694. (*a*) Inspectors may be granted furlough and leave on medical certificate under the Indian Service Leave Rules.

(*b*) Officers of lower rank may after five years' continuous service in the Settlement be granted furlough on half-pay for from four to six months according to the distance of the applicant's home from Calcutta. In the case of married men who have their families at the Settlement, furlough is given only in special cases at the discretion of the Superintendent.

695. Extraordinary leave under Article 339 may be granted to all ranks.

696. Policemen of all ranks below that of Inspector proceeding to India on leave of any kind are entitled to free passages both ways by sea, and Sergeants and Constables proceeding on furlough or leave on medical certificate are also entitled to free passages by rail to and from their homes.

697. (*a*) Policemen proceeding to India on leave of any description should ordinarily be employed on the voyage in guarding transferred convicts.

(*b*) On the expiration of their leave they will report themselves to the Commissioner of Police, Calcutta, with a view to their employment as convict guards on the return journey.

698. The total number of men on leave at one time from all causes other than privilege leave shall not exceed ten per cent. of the Force.

699. While ill in hospital at Port Blair or Nancowri, absentee allowances are granted as follows —

(*a*) Constables and Sergeants,—Full pay for so long as they may be in hospital.

NOTE. [This concession does not interfere with the grant of any leave admissible under this section.]

(*b*) Subadars and Jamadars and Inspectors,—In accordance with the Indian Service Leave Rules.

700. During leave on medical certificate spent in India an absentee allowance is granted at the following rates —

(*a*) *Constables.*—Subsistence allowance of Rs. 6 a month.

(*b*) *Naiks.*—Subsistence allowance of Rs. 8 a month.

(*c*) *Sergeants.*—Subsistence allowance of Rs. 10 a month.

(*d*) *Subadars and Jamadars.*—Half pay for fifteen months and subsistence allowance of Rs. 15 a month after that term.

Pension Rules.

701. Members of the Force are *entitled* to pensions under the Regulations in Part IV, for the calculation of ordinary pensions for Superior service. Native officers, Non-Commissioned officers and Sepoys of the Indian Army recruited direct from the Army and whose services are obtained on special application, count their previous Army service as *qualifying* service under the rules in Part IV, provided they complete 10 years' qualifying service in the Force. Those who retire before completing 10 years' such service are

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granted the military pension of their rank—their service in the police being included as qualifying under Military rules.

702. Time spent in hospital at Port Blair or Nancowri by Constables and Sergeants of the Force, during which they receive full pay under Article 699, does not qualify for pension.

Travelling Allowance Rules.

702A. Subadars and Jamadars are entitled to second class accommodation on all journeys by rail for which they are entitled to travelling allowance.

Chapter XXXV.—Assam and Dacca Military Police.

703. Pensions are granted to Policemen and, in the exceptional cases specified in the rules, to their heirs in accordance with Parts IV and VI.

704. Furlough on private affairs on half Assam or Dacca pay for not more than six months, from date of departure from head-quarters to date of return thereto, may be granted by Battalion Commandants on condition that the number absent on furlough and sick leave at any one time does not exceed 5 per cent. of the strength of the Battalion from 15th October to 15th April, and 10 per cent. from 16th April to 14th October.

705. Leave on medical certificate for not more than six months, from date of departure from head-quarters to date of return thereto, may be granted by Battalion Cammandants to all ranks. A man taking such leave forfeits his turn for furlough and his name is placed at the bottom of the furlough roster. Leave on medical certificate for a longer period than six months may be sanctioned by the Inspector-General of Police, but the amount of leave which may be granted with pay at one time is limited to two years.

706. Allowances on leave on medical certificate are full pay for as long a time as the man is entitled to privilege leave, and half pay for the remainder of the first six months; and, in case of extension being granted, half pay. The leave allowance of a man on leave on medical certificate taken in extension of furlough is half Assam or Dacca pay.

707. Sick leave on full pay for a period not exceeding one month may be granted by Battalion Commandants to all ranks while in hospital. In exceptional cases, *e.g.*, in consequence of wounds received in action or for other special reasons, this privilege may be extended to two months under the special sanction of the Local Government. After this period, such leave may be granted on half pay. Leave granted under this rule shall not interfere with the grant of ordinary leave on medical certificate.

708. The Battalion Commandant may grant privilege leave on urgent private affairs under the rules in Chapter XII to men whose conduct has been good.

709. The Inspector-General of Police may frame subsidiary rules not inconsistent with these rules for the guidance of Battalion Commandants in granting furlough and leave.

710. Native Commissioned officers are entitled to travelling allowance as second class officers for journeys by rail and by river steamer.

710A. Officers and men proceeding to or returning from outpost duty are allowed free passages by rail, river and road for their families. In the case of journeys by road, where carts cannot be used, the cost of one cooly for wife and one cooly for children may be allowed.

711. Free passages by steamer and rail are allowed—

(a) to and from their homes, to men proceeding on or returning from furlough on private affairs or leave on medical certificate, but not to men proceeding on or returning from privilege leave;

(b) to their homes, to men who are not natives of the Province when retiring on Invalid pensions, but not to men granted Retiring or Superannuation pensions.

712. Any member of the force belonging to races foreign to Assam or Dacca who may be recruited outside the Province, may, with the written permission of the Battalion Commandant, and if quarters are available in the Police lines, bring his children, one wife and one relative to Assam or Dacca.

For the conveyance of families, third class passages will be granted by railway, and deck passages by steamer, in the case of all Native officers, on payment [illegible]

reckoned on the number of foreigners only

Return passages to their homes will be granted to the families of such officers and men dying in Assam or Dacca.

Chapter XXXVI.—Calcutta and Suburban Police Forces.

713. The leave of absence and acting allowances of officers and men of the Calcutta and Suburban Police Forces, whose pay does not exceed Rs 20 a month, are regulated by the following rules:—

(1) One month's leave may be granted at any time, but without pay; such leave is only to be granted in special cases, and when good ground exists for granting the indulgence.

(2) One month's leave may be granted after eleven months' actual service without deduction of pay.

(3) Special leave for four months may be granted on half pay to any officer or constable who has served for four years without taking leave of any description whatsoever.

(4) Officers and constables whose homes are more than 400 miles from Calcutta may in special cases have the leave, granted under rule (3), extended to five months, and those whose homes are more than 800 miles from Calcutta, to six months.

(5) Sick leave may, at any time, be granted for one month on full pay.

(6) Sick leave on production of a certificate signed by the Police Surgeon [illegible] be granted for four months [illegible] whose homes are more than [illegible] e also granted to applicants under this rule.]

(7) Leave granted under Rules (1), (2), (3) and (4), cannot be claimed as a right, but may be granted at the discretion of the Commissioner of Police, provided that no inconvenience to the public service will be occasioned, and that the funds admit.

(8) The place of any officer or constable absent from duty on leave, under Rule (3), (4), or (6), may be filled up by the temporary promotion of a substitute from the next lower grade, whose place again may, in like manner, be filled up by promotion from the lower grades.

(9) Any officer or constable acting for another absent from duty under Rule (3), (4) or (6), shall draw half his own salary *plus* half that of the superior officer for whom he is acting, and any saving accruing from such arrangement shall be carried to the credit of the Leave Fund.

(10) The half salary of any officer or constable on leave, whether special or on medical certificate, will be payable only on return to duty. Should the absentee not rejoin upon the expiration of the leave granted to him, he will be liable to forfeit all claim to the half pay he would otherwise receive upon return All sums thus forfeited are to be carried to credit of the Leave Fund.

(11) The number of men allowed to be absent on Special leave is not to exceed 10 per cent. of the effective numerical strength.

Chapter XXXVII.—Burma Military Police.

714. The rules in this Chapter apply to—

(*a*) All members of the Burma Military Police who originally enlisted on an engagement under the direct orders of the Government of India, and on a renewal of their engagement, to all members who joined the Force from the Army prior to 1st January 1889.

(*b*) All members of the Burma Military Police enlisted by the Government of Burma.

(*c*) Soldiers who join the Force from the Native Army after the 31st December 1888, or who, having joined before that date, are now serving in Lower Burma, not having been transferred from Upper Burma in the interests of the public service.

(*d*) Karen recruits.

(*e*) All members not being soldiers of the Native Army on renewal of their engagements who were enlisted under the direct orders of the Government of India.

(*f*) Kachins enlisted in the Military Police.

(*g*) Salutries and Armourers.

No. 195.

Page 195. Article 716.

Substitute the following for this Article :—

716. Leave on medical certificate for not more than six months in the first instance may be granted by Battalion Commandants to all ranks. Extension of such leave on medical certificate beyond this period may also be sanctioned by them; but the amount of leave which may be granted with pay at one time is limited to two years.

NOTE.—[A man taking leave on medical certificate forfeits his turn for furlough and his name is placed at the bottom of the furlough roster.]

(5th Edition—Reprint, No 195, dated 11-4 17)

[illegible] Burma pay for the first six months and afterwards at the rate of one quarter the Burma pay: Provided that the Local Government may in any case by special order direct that a man on leave on medical certificate after the first six months shall draw any allowance not exceeding one-half the Burma pay.

(ii) In the case of the members mentioned in clauses (*b*) to (*g*) of Article 714, half full Burma pay for the first six months and, in case of extension being granted, not more than one-fourth full Burma pay without the sanction of the Local Government.

(*b*) The leave allowance of a man on leave on medical certificate taken in extension of furlough is one-fourth full Burma pay.

NOTE 1.—[An advance of three months' pay may be made to the men mentioned in Article 714 (*a*), going on sick leave. A man who obtains an advance of three months' pay is not eligible for another remittance for four months]

NOTE 2.—[The language allowances, or extra pay, of Military Policemen for passing examinations in Yunnanese, Burmese, Shan, Chin and Kachin are treated as salary for the purpose of calculating leave allowances, but are not taken into account in calculating pension.]

718. [illegible]

wounds received in action until they are discharged from hospital. Leave granted under this rule does not interfere with the grant of leave to India on medical certificate.

719. Battalion Commandants may grant privilege leave on urgent private affairs under the rules in Chapter XII to men whose conduct has been good.

720. The Inspector-General of Police may frame subsidiary rules not inconsistent with these rules for the guidance of Commandants in granting furlough and leave.

Travelling Allowance.

721. Subadars and Jamadars of the Military Police both in Upper and Lower Burma are entitled to second class accommodation on all journeys by rail for which they are entitled to travelling allowance.

722. Free passages by sea, river and rail are allowed to and from their homes to men [except those mentioned in Article 714 (*f*) unless they belong to the Myitkyina Battalion having been recruited from the Bhamo district and travel *viâ* Katha] proceeding on or returning from furlough on private affairs or leave on medical certificate, but not to men proceeding on or returning from privilege leave unless the privilege leave is commuted into furlough or leave on medical certificate, when the grant of free passages or the cost thereof will be admissible.

NOTE 1.—[Charges for conveyance by road of Military Policemen proceeding on sick leave may be paid in cases where the Civil Surgeon certifies that they are unable to proceed on foot.]

NOTE 2.—[A free passage is allowed to an attendant who may be deputed by the Battalion [illegible]

723. Free passages from the place of enlistment may be granted to Karen recruits who have to travel by rail or steamer to the headquarters of their Battalion. The passage of recruits for the Upper Burma Military Police enlisted in India as well as of gunkahars, cooks, bhisties, and transport drivers is paid by Government from the place of enrolment to the headquarters of the Battalion.

The passages of followers enlisted in Burma for the Upper Burma Military Police may be paid with the sanction of the Inspector-General of Police, from the place of enrolment to the place where the follower is to be employed, in cases where the distance between the two places exceeds 50 miles.

Each recruit for the Arakan Hill Tracts, Lower Burma Military Police, is entitled to the actual cost of the journey from his home to Calcutta; and also a free passage to Akyab.

The passage by rail and steamer of recruits enlisted in India for the Lower Burma Military Police is also paid by Government from the place of enrolment to the headquarters of the Battalion.

NOTE.—[Free passages to their homes to members of the Burma Military Police recruited in India and discharged on the termination of their first engagement are admissible under Article 1132; also to those who re-enlist without a break in their service for a further term of service on the expiration of the period of their first engagement and who are discharged on the termination of their further engagement; also to those who re-enlist for no special term and are subject only to the usual two months' notice. Karen members of the Burma Military Police who are discharged on the termination of their engagements may be given travelling allowance under Article 1132, Civil Service Regulations.]

724. Any member of the Force [except those mentioned in clauses (*d*), (*f*) and (*g*) of Article 714] may, with the written permission of the Commandant and

if quarters are available in the Police lines, bring his children, one wife, and one relative to Burma.

For the conveyance of families, third-class passages will be given by railway, and deck passages by steamer, in the case of all Native Officers, on payment of one-third of the passage money and fare; in the case of 20 per cent. of the Non-Commissioned Officers of each Battalion, free of charge; in the case of 5 per cent. of the privates of each Battalion, free of charge. Return passages to their homes will be granted to the families of officers and men dying in Burma.

725. No travelling allowance may be given to families of men of the Karen (now Lower Chindwin) Battalion who have been ordered on service. Indigenous Battalions are raised to avoid such expenses.

Pensions.

726. The following rules regulate the pensions of members of the Burma Military Police mentioned in Article 714 (*a*):—

(*a*) Soldiers joining the Police may elect to remain under military rules for pension. In that case no deductions from pay will be made on account of pension, and the pensions are regulated as if the soldiers held Army rank as shown below:—

1. Native Officers in receipt of Rs 100 to Rs 150	as Subadars.
2 ,, ,, ,, Rs. 50 to Rs 65	as Jemadars.
3. Native Non-Commissioned Officers	as Havildars.
4. Privates	

[illegible]

Regulations, and the pensions admissible are determined by rules of those Regulations applicable to policemen. If the soldier returns to the Army from the Police, the amounts deducted are refunded and the Police service counts towards Army pension.

(*c*) In the case of policemen who elect for Military Rules, the claims of [illegible] who [illegible] in

(*d*) Men who joined the Force, otherwise than from the Army, are only entitled to such pensions and on such conditions as the Civil Service Rules for Policemen permit.

(*e*) Service in Burma is held to be "Foreign Service" within the meaning of Article 1062 of the Army Regulations, India, Volume I, in case of all men of the Native Army not being Natives of Burma, and is, therefore, so considered in the case of all men of the Upper Burma Military Police subject to the Military Pension Rules of the Native Army.

727. (*a*) In the case of members of the Burma Military Police mentioned in clauses (*b*) to (*g*) of Article 714, the rules in the Civil Service Regulations

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PART VI.—WOUND AND OTHER EXTRAORDINARY PENSIONS.

GENERAL ARRANGEMENT.

PART VI.—WOUND AND OTHER EXTRAORDINARY PENSIONS.

Chapter XXXVIII.—Wound and other Extraordinary Pensions.

SECTION I.—WOUNDS ON MILITARY SERVICE.

728. Gratuities and pensions to officers wounded, and to the families of officers killed, in action, or in the execution of duty otherwise than in action, and to the families of officers whose death is due to illness contracted on service

NOTE.—[In a case falling clearly and strictly within the letter of the rules, the Local Government may grant the pension admissible, the report to the Secretary of State being made through the usual channel.]

729. Officers of Government, being Volunteers who are called out on actual Military service, are entitled (themselves and their families) to the pensions, allowances, or gratuities admissible under Army Regulations, India, Volume IX, Section XIX: Provided that, if any such officer is wounded or killed in such actual Military service, and he or his family are in consequence

vided also, in every case, that he has given to the head of his office if he is a member of an office establishment, or to his superior officer in other cases, notice of his having been called out.

730. Gratuities and pensions are granted to Civil officers wounded and to the families of such officers killed, while serving (in circumstances justifying their presence) with a Military force, and to the families of such officers whose death is due to illness contracted on service with an army in the field, according to the scale applicable to officers or men of the Army or their families, the rank of the officers being determined with reference to the actual

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Military rank in the field or by the following tables, whichever is more favourable to the recipients :—

(i) Members of the Indian Civil Service :—

An officer of—	Ranks as a—
Less than 5 years' standing	Lieutenant.
More than 5 " "	Captain.
" 12 " "	Major.
" 18 " "	Lieutenant-Colonel.
" 23 " "	Colonel.
" 31 " "	Major-General.
Lieutenant-Governor or Chief Commissioner	Lieutenant-General.

(ii) Other Civil officers, not being native officers :—

An officer whose salary is—	Ranks as a—
Below Rs. 16 a month	Sepoy.
Rs. 16 a month or upwards	Naik.
" 25 ditto	Havildar.
" 50 ditto	Jemadar.
" 100 ditto	Subadar.
" 200 ditto	Lieutenant of less than 3 years' service.
" 300 ditto	Lieutenant of more than 3 years' service.
" 500 ditto	Captain.
" 1,000 ditto	Major.
" 1,500 ditto	Lieut.-Col.
" 2,000 ditto	Colonel.
" 2,500 ditto	Major-General.

(iii) The wound and family pensions of native Civil officers are fixed in rupees as follows :—

An officer whose salary is	Wound pension.	Family Pension. Intermediate Rate. For widow.	Family Pension. Intermediate Rate. For each child.	Family Pension. Highest Rate. For widow.	Family Pension. Highest Rate. For each child.	Maximum amount of pension admissible.
	Rs.	Rs.	Rs.	Rs.	Rs.	
Below Rs. 16 a month	The rates are determined in accordance with Army Regulations, India, Volume I, officers ranking as in clause (ii) above.					
Rs. 16 a month or upwards						
" 25 ditto						
" 50 ditto						
" 100 ditto						
" 200 ditto	80	60	12	80	16	Half the salary of the officer.
" 500 ditto	120	90	18	120	24	
" 1,000 ditto	240	120	24	180	36	
" 1,500 ditto	360	150	30	225	45	
" 2,000 ditto	360	180	36	270	54	
" 2,500 ditto	420	210	42	315	63	

(iv) A Viceroy of India or Governor of a Presidency ranks as a Field Marshal, General, or Lieutenant-General Commanding-in-Chief.

(v) A person who is not in the service of Government ranks according to his status in life as compared with an officer of the Regular Forces.

Place of payment.

731. A Civil officer in receipt of a wound pension cannot draw it from the Home Treasury while serving or residing in India, but must draw it at the place where his pay, absentee allowance, or pension is disbursed.

SECTION II.—SPECIAL CASES.

732. In special cases, as, for instance, when an officer is wounded in an encounter with dacoits, the Government of India may relax the condition of Article 730 as to service with a Military force. In such cases the pension or gratuity granted to a [illegible]
laid down in the Army I [illegible]
received in the executio[illegible]
of the Civil officer being determined as in Article 730.

[illegible]

Wound Leave.

733. An officer compelled to absent himself from duty, in consequence of wounds received in action, or of illness contracted by active service in the field (in circumstances justifying his presence) with a Military force (*i.e.*, service recognised as such by the Government of India), or of illness which was originally contracted on such service, being aggravated or reproduced by subsequent service of a similar nature, may be allowed extraordinary leave on medical certificate, irrespective of the period which has elapsed since his last return from leave of any description. Such leave will not reckon as part of the maximum admissible under general rules, and it will, except as regards the earning of Furlough, count, up to a maximum of 12 months as active service, provided that—

(*a*) it must be taken immediately in consequence of the wound or illness, *i.e.*, without any intervening period of active service;

(*b*) it is certified by the Medical Board, before which the officer appears, that the disability owing to which leave has become necessary, originated on active service in the field and was solely caused by hardship and exposure undergone or by wounds received, during such service;

(*c*) it cannot be combined with any other kind of leave, except Leave on Medical Certificate;

Military rank in the field or by the following tables, whichever is more favourable to the recipients :—

(i) Members of the Indian Civil Service :—

An officer of—	Ranks as a—
Less than 5 years' standing	Lieutenant.
More than 5 " "	Captain.
" 12 " "	Major.
" 18 " "	Lieutenant-Colonel.
" 23 " "	Colonel.
" 31 " "	Major-General.
Lieutenant-Governor or Chief Commissioner	Lieutenant-General.

(ii) Other Civil officers, not being native officers :—

An officer whose salary is—		Ranks as a—
Below Rs. 16 a month		Sepoy.
Rs. 16 a month or upwards		Naik.
" 25	ditto	Havildar.
" 50	ditto	Jemadar.
" 100	ditto	Subadar.
" 200	ditto	Lieutenant of less than 3 years' service.
" 300	ditto	Lieutenant of more than 3 years' service.
" 500	ditto	Captain
" 1,000	ditto	Major
" 1,500	ditto	Lieut.-Col.
" 2,000	ditto	Colonel.
" 2,500	ditto	Major-General

(iii) The wound and family pensions of native Civil officers are fixed in rupees as follows :—

An officer whose salary is	Wound pension.	FAMILY PENSION. Intermediate Rate. For widow.	FAMILY PENSION. Intermediate Rate. For each child.	FAMILY PENSION. Highest Rate. For widow.	FAMILY PENSION. Highest Rate. For each child	Maximum amount of pension admissible
	Rs.	Rs.	Rs.	Rs.	Rs.	
Below Rs. 16 a month	The rates are determined in accordance with Army Regulations, India, Volume I, officers ranking as in clause (ii) above.					
Rs. 16 a month or upwards						
" 25 ditto						
" 50 ditto						
" 100 ditto						
" 200 ditto	80	60	12	80	16	Half the salary of the officer.
" 500 ditto	120	90	18	120	24	
" 1,000 ditto	240	120	24	180	36	
" 1,500 ditto	360	150	30	225	45	
" 2,000 ditto	360	180	36	270	54	
" 2,500 ditto	420	210	42	315	63	

(iv) A Viceroy of India or Governor of a Presidency ranks as a Field Marshal, General, or Lieutenant-General Commanding-in-Chief.

(v) A person who is not in the service of Government ranks according to his status in life as compared with an officer of the Regular Forces.

Place of payment.

731. A Civil officer in receipt of a wound pension cannot draw it from the Home Treasury while serving or residing in India, but must draw it at the place where his pay, absentee allowance, or pension is disbursed.

SECTION II.—SPECIAL CASES.

732. In special cases, as, for instance, when an officer is wounded in an encounter with dacoits, the Government of India may relax the condition of Article 730 as to service with a Military force. In such cases the pension or gratuity granted to a Civil officer will be calculated according to the scale laid down in the Army Regulations, India, Volume I, for wounds and injuries received in the execution of Military duty otherwise than in action, the rank of the Civil officer being determined as in Article 730.

NOTE. [illegible]

[illegible] rant Pension.]

Wound Leave.

733. An officer compelled to absent himself from duty, in consequence of wounds received in action, or of illness contracted by active service in the field (in circumstances justifying his presence) with a Military force (*i.e.*, service recognised as such by the Government of India), or of illness which was originally contracted on such service, being aggravated or reproduced by subsequent service of a similar nature, may be allowed extraordinary leave on medical certificate, irrespective of the period which has elapsed since his last return from leave of any description. Such leave will not reckon as part of the maximum admissible under general rules, and it will, except as regards the earning of Furlough, count, up to a maximum of 12 months as active service, provided that—

(*a*) it must be taken immediately in consequence of the wound or illness, *i.e.*, without any intervening period of active service;

(*b*) it is certified by the Medical Board, before which the officer appears, that the disability owing to which leave has become necessary, originated on active service in the field and was solely caused by hardship and exposure undergone or by wounds received, during such service;

(*c*) it cannot be combined with any other kind of leave, except Leave on Medical Certificate;

(d) allowances during such leave will be half average salary, subject to the maxima applicable to ordinary Furlough; and no allowances will be paid for any leave in excess of two years;

(e) the medical certificate must state the term for which leave is necessary in consequence of the wound or illness, and any extension of that period can be granted only on a fresh medical certificate;

(f) an interval of three years must intervene between expiry of such leave and furlough, except in the case of furlough on medical certificate, when the interval need not exceed six months.

[illegible] the Government of India may relax [illegible] such service.]

SECTION III.—INJURIES RECEIVED ON DUTY.

734. (a) The rules in this Section are analogous to the Regulations for the grant of pensions to soldiers wounded in action and to the heirs of soldiers killed in action and provide for a pension or gratuity in cases of injury or death:—

(i) to a man so injured in the execution of a public duty as to be incapacitated for earning a livelihood;

(ii) to the family of a man killed in the execution of a public duty;

(b) They apply to any person employed in the service of the Government, whether permanently, temporarily, or even casually, and when remunerated by fixed pay, or (as, for example, miners in the Salt mines) for piece-work.

(c) They apply also to a village watchman (including a Municipal chowkidar in the United Provinces) or his family, even though he receives no pay from the State.

735. A Wound or Extraordinary pension or gratuity is granted only when injury or death is met in the performance of a duty which is attended with extraordinary bodily risk. This condition governs the grant of pensions or gratuities under *Articles 739 and 740. The Government recognises no* claims on account of loss of life or bodily injury resulting from an ordinary accident. The following are examples of cases of ordinary accident:—

A Policeman falling from a horse; a Policeman on escort duty killed by sunstroke; a Lascar killed by the snapping of a hawser; a Labourer falling under a burden

NOTE.—[As this rule is based upon the analogy of the regulations for the grant of pensions to soldiers wounded, and to the families of soldiers killed in action, its application is strictly limited to the cases for which it is intended to provide; it is obviously inexpedient for the Government to dispense charity in individual cases, or to do anything which might weaken the inducements to officers to secure proper provision for their families]

736. The Government does not bind itself to grant pension in every case, or, if it grants pension, to grant it for life.

737. The amount of pension is to be regulated by—

(i) the character and service of the injured or killed;

(ii) the nature of the risk undergone, and the conduct of the man in accepting it;

(iii) the nature and extent of the injury received;

(iv) the pecuniary circumstances and prospects of the claimant.

738. Injuries for the purposes of this Section are classed in four degrees:—

1st Degree.—Men losing two limbs or both eyes from wounds; or being so severely wounded as to be totally incapable of earning a livelihood and to require the care and assistance of some other person.

2nd Degree.—Men losing one limb or one eye; or being so disabled as to be incapable of earning a livelihood, though not requiring the care of another person.

3rd Degree.—Men not losing a limb or an eye who have received an injury equal to the loss of a limb, or who are otherwise so disabled as to be capable of contributing in only a small degree towards earning a livelihood.

4th Degree.—Men able to contribute materially towards a livelihood, although unfit, from wounds, for the ordinary duties of the service.

739. A pension or, when a pension is not justified by the circumstances of the case, a gratuity may be granted by the Local Government or the Government of India as follows:—

Pensions.

(*a*) by the Local Government, not exceeding Rs. 10 a month.

(*b*) by the Government of India, not exceeding—

(i) Rs. 100 a month, in the case of State Railway servants.

(ii) Rs. 25 a month in other cases.

Gratuities.

(*c*) by the Local Government, not exceeding six months' pay and not exceeding Rs. 600.

(*d*) by the Government of India, not exceeding six months' pay or Rs. 1,000 whichever is greater.

(*e*) by the Railway Board, not exceeding six months' pay or Rs. 3,000, whichever is greater in the case of State Railway servants.

740. Pensions granted under the preceding Article are subject to the following limits:—

(i) To an officer wounded in the first or second degree, not exceeding full pay.

(ii) To an officer wounded in the third or fourth degree, not exceeding half pay; or, if the officer is entitled to an Invalid pension of half pay under the ordinary rules for Superior or Inferior service, then not exceeding three-quarters pay.

(iii) To the family of an officer killed in the execution of his duty, not exceeding half the pay of the deceased officer, and not less than Rs. 2¾ a month.

NOTE.—[The term "family" includes only wife, legitimate child, father or mother, dependent upon the deceased for support. The words "*for the support of the family*" should be inserted in every order sanctioning a pension under this rule.]

741. (*a*) A pension granted under clause (i) or (ii) of the preceding Article will, unless the pensioner is more than sixty years old (in which case it will be permanent), continue, in the first instance, for two years only.

(*b*) At the end of eighteen months, the pensioner shall be examined afresh by a Medical Officer in charge of a Civil station, upon whose report the Local Government will decide whether the pension shall be continued or not for a further term, or permanently, and whether the pensioner shall be subjected or not to further medical examination.

742. (*a*) If a pension is granted to a family under Article 740 (iii), it is allotted *for the support of the family to the eldest surviving son*:—

(i) failing sons, to the eldest widow, for the same purpose;

(ii) failing both sons and widows, to the eldest surviving unmarried daughter, for the same purpose;

(iii) these failing to the father, for the same purpose;

(iv) and failing all others, to the mother for the same purpose.

(*b*) To a male, pension is given as follows:—

(i)

(ii)

(iii)

(*c*) The pension to a female is for life or until marriage; ([1]) but, on her suitable marriage, the Local Government, may at its discretion, grant her five years' pension as a dowry.

...other pension granted in the Civil Department ... of special orders to the contrary, last ...band, or, *being married, attains the age*

...transfer

743. The Government of India have also the power to grant in any case, even where no pension or gratuity is admissible under these rules—

(*a*) a gratuity not exceeding Rs. 1,000; or

(*b*) when injury or death is due to devotion to duty, a pension not exceeding Rs. 25 a month or a gratuity of equivalent amount.

NOTE.—The powers of the Government of India under clause (*a*) above may be exercised by the *Railway Board in the case of Railway servants.*

744. A Local Government may, as a special case, grant a gratuity not exceeding Rs. 20, or two months' pay, whichever *is less, to a day-labourer* or mechanic injured, or to his representatives if he is killed, in the execution of *duty by causes beyond his control, if the injury* is not such as to allow of a Wound or Extraordinary pension being granted under the foregoing rules.

NOTE.—[*The powers of a Local Government* under this Article may be exercised by Superintending Engineers in the Public Works Department.]

SECTION IV.—STATE RAILWAY RULES.

745. A Local Government having State Railways under its control and Managers of State Railways not under Local Governments may grant a gratuity to any State Railway servant who may be injured, or to the representatives of any State Railway servant who may be killed, by the working of trains or engines, otherwise than through his own negligence or wilful action. provided that such gratuity shall not exceed a sum equal to six months' pay of the servant injured or killed, or a maximum of Rs. 200 If Rs 200 is considered insufficient, a reference must be made to the Government of India.

1. Officials of the Railway Mail Service are eligible [illegible] the same way as State Ra[illegible] [illegible] Managers of State Railways in respect of State Railway servants.

SECTION V.—PROCEDURE.

746. When a claim for Wound or Extraordinary pension arises, the head of the office in which a man killed or injured was employed must hold a formal inquest, taking evidence as to—

(i) the circumstances under which the injury was received, or the life lost;

(ii) the relationship (in the case of a death) and the pecuniary circumstances of the claimants.

747. The head of the office will then submit the case, with a statement of the circumstances, through his official superiors, to the Government. The application, which should be in Form No 25 in the case of a man injured and Form No. 22 in the case of a man killed, should be accompanied by the report of the Audit Officer upon the claim.

SECTION VI.—RE-EMPLOYMENT OF WOUND PENSIONERS.

748. A Wound or Extraordinary pension granted under these Regulations, or under Military Rules to a Native Commissioned officer or a Non-Commissioned officer or soldier for wounds and injuries, may, in the event of the pensioner's subsequent employment in the Civil Department, be, during such employment, reduced or suspended by the Government which granted the pension

NOTE.—[" The withdrawal of pension is optional with the Local Govern[illegible] not be [illegible] in only [illegible] that he [illegible] done b[illegible] *500-S., dated 18th September 1878.)]*

749. If, however, the Wound or Injury pension of a Native Commissioned officer or a Non-Commissioned officer or soldier includes an Invalid pension, he may, if the Wound or Injury pension is withheld, draw the Invalid pension in addition to Civil salary.

PART VII.—FOREIGN SERVICE; REGULAR ESTABLISHMENTS THE COST OF WHICH IS RECOVERED BY GOVERNMENT; SERVICE UNDER LOCAL FUNDS.

GENERAL ARRANGEMENT.

PART VII.—FOREIGN SERVICE; REGULAR ESTABLISHMENTS, THE COST OF WHICH IS RECOVERED BY GOVERNMENT; SERVICE UNDER LOCAL FUNDS.

Chapter XXXIX.—Foreign Service.

Extent of Application.

749A. The revised rules in this Part will apply only to cases in which officers are transferred to Foreign Service after the 1st August 1913. In the case of officers transferred to Foreign Service before this date, the old rules contained in the original fifth edition of these Regulations should continue to be applied.

749B. It is to be understood that, unless the Local Government is expressly given authority to make exceptions, all deviations from the Foreign Service Rules require the sanction of the Government of India, whose powers in this respect remain unaltered.

Definition.

750. Foreign Service is of two kinds, *viz.* :—

First.—The service of an officer transferred to service under an employer who is not under the orders of Government and is allowed while in such service to maintain his claim to pension or to leave and pension in the same way as if he were still in the service of Government.

Examples.—Officers lent to Egypt, to a Native State, a Railway Company, a Port Trust, a Municipality, a District Board or other Local Fund

Second.—The service of an officer employed in connection with the management by Government of estates or funds which they have taken under their control or received in trust, and paid from the revenues of such estates or from such funds. The service must be strictly connected with the management by Government, and appointments existing apart from, or continuing after relinquishment of, Government control can be made only under the conditions of foreign service of the first kind.

Examples.—Administrators of Native States under direct management, Managers of Courts of Wards' Estates.

General Conditions applicable to Foreign Service.

751. An officer transferred to foreign service remains subject to the general and disciplinary rules which would have applied to him as a servant of Government had he not been so transferred.

752. An officer who belongs to a graded service is allowed the substantive promotion which he would have received had he not been transferred One who does not belong to a graded service may not, without the sanction of the Local Government by which he was transferred, be given substantive

promotion in Government service, or on reversion to that service be appointed to a higher appointment than that which he held at the time of his transfer. And the Local Government should not give such promotion unless the nature of the officer's duties and the manner in which he has discharged them qualify him for it. An officer whose appointment under Government is one on progressive or a time-scale of pay counts time spent in foreign service for increments

NOTE.—An officer who belongs to a graded service may also be allowed any officiating or temporary promotion, which he would have received had he not been transferred, which counts towards additional pension under Articles 644 (b) and 475, Civil Service Regulations.

753. An officer in foreign service may not elect to withhold contribution and forfeit the right to count as Government service the time spent in foreign employ. The contribution paid by or for him maintains his claim to pension or, if contribution is paid for leave allowance also, to pension and leave allowance in accordance with the rules of the service to which he belongs. Neither he, nor any body which has paid contribution on his behalf, has any right of property in such contribution nor can any claim for refund be entertained.

754. An officer of Government, who is lent on foreign service conditions may not, except with the sanction of the Government of India, accept a pension or gratuity from his foreign employer in respect of such service.

755. (a) An officer retains while on foreign service a lien upon a substantive office under Government, and when he reverts to Government service, either temporarily or permanently, he resumes substantively the position in his service or establishment which he held when he was transferred, or to which he may have attained in accordance with the rule in Article 752.

(b) If an officer proceeds on leave from his foreign service appointment he shall not ordinarily be considered to revert to Government service unless and until he rejoins his appointment in British service.

Where, however, the foreign service is under the control of the Local Government, to service under which an officer reverts on relinquishing such foreign service, that Government may determine the date on which the officer may be treated as reverting to British service.

Where the foreign service is under the control of the Government of India, the officer shall be held to revert to Government service from the date on which his services are replaced at the service of the Local Government or Imperial Department to which he belongs.

756. The salary of an officer appointed to act in a sanctioned appoint [illegible] nd transit pay of an officer pro- [illegible] :e, are regulated in accordance

[illegible] ppoint- [illegible] under [illegible] of the [illegible] n into

No. 124.

Page 213. *Article 758.*

Add the following to this Article :—

The travelling allowances of an officer both when proceeding on transfer to foreign service and when reverting to duty under Government shall be borne by the foreign employer.

(5th Edition—Reprint, No. 124, dated 6-6-16.)

under the rules in Parts IV and ... ficate, or (2) is discharged on the abolition of his appointment in British service, or (3) is required to retire on attaining a certain age or on completing a certain period of service, or (4) in cases where he is not so required to retire compulsorily, retires on reaching the age of 55 years.]

760. When any officer lent on foreign service conditions retires from British service (*see* Article 759) without, at the same time, retiring from the service of his foreign employer, the audit officer shall communicate to the foreign employer through the usual authorities a statement showing the date of retirement and the amount of pension drawn from the British Government with a view of enabling the foreign employer, if so inclined, to revise the existing terms of employment.

761. (*a*) An officer who during leave desires to take up employment in India must obtain the previous sanction of competent authority thereto. If the post is one which should in the opinion of such authority be filled by a servant of Government he must be transferred in accordance with the rules of this Chapter.

(*b*) An officer who du... ...ia desires to enter foreign service out of Indi... ...nction of the Secretary of State wh... ...ansferred to foreign service ...tribution.

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...ployment without entering ... in addition to any emolu-

...ay in, Foreign Service.

...gn service is not permissible :—

... the transfer is in the public interest, that is, the service is such as should, for public reasons, be rendered by a servant of Government;

(*ii*) unless the officer holds, when his transfer is effected, an appointment in qualifying service on an establishment paid from General Revenues.

III.—Officers may be allowed travelling and conveyance allowances on such scale as the Local Government considers adequate, and, when the transfer is to a Native State, the concessions specified

No. 85.

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until the officer has been for three years in foreign service. After that period, and subsequently at intervals of not less than three years, increments of not more than 20 per cent. of the original pay may be allowed, if proposed by the foreign employer and if, in the opinion of the authority by whom the transfer was sanctioned, they are justified with reference to the work of the officer and the nature of his duties.

(c) In the event of a material change in the nature of the duties of an officer in foreign service his pay may be revised within the limits of its powers of sanction by the authority who sanctioned the transfer.

Contributions required for Leave and Pension.

765. (a) An officer transferred to foreign service in India contributes for both leave allowance and pension; if the transfer be to service out of India, contribution is made for pension only.

(b) Contribution is payable during leave on account of an officer who contributes for pension only. When contribution is paid for both pension and leave allowances it is payable during privilege leave taken in foreign service but not during other kinds of leave.

766. In the case of an officer *in foreign service of the first kind* contributions for leave allowance and pension are levied on an assumed pay, in return for which the Government accepts the charge for the officer's leave allowances of all kinds and pension (or, in the case of foreign service out of India, pension only), calculated on such pay. (As regards privilege leave allowances, *see* Article 779 below.)

767. *In the case of an officer of any of the classes mentioned in Article* 763 (i) pay is assumed to be as follows whatever the actual pay and allowances drawn by him in foreign service may be :—

(a) If the officer is on a time-scale of pay, the pay which he would have drawn from time to time had he remained in British service.

(b) For officers who are not on a time-scale of pay :—

	Indian Civil Service	Other Services.
	Rs	Rs.
(i) For two years reckoning from the 1st of April following arrival in India, or, in the case of an officer appointed in India, following date of appointment	400	350
(ii) For every subsequent year	100	50

Assumed pay whether calculated according to clause (a) or (b) of this Article is subject to the following maxima : Rs. 2,500 a month in the case of [illegible] a Military officer subject to the [illegible] f a Military officer subject to the Indian Army leave rules, and Rs. 2,000 a month in the case of any other officer subject to the rules in Chapter XIII : provided that except in the case of members of the Indian Civil Service, Military officers, any other officers whose pensions are fixed in sterling, and officers who may become eligible for a special additional pension under Articles 475, 642 and 643, assumed pay shall not exceed Rs 1,500 a month.

Exception.—In the case of an officer promoted from a subordinate grade to service which is subject to the leave rules in Chapter XIII assumed pay is the pay he would draw from time to time on the Government list to which he belongs.

NOTE.—[In the case of Royal Engineer officers, the date to be taken for purposes of calculating assumed pay under this Article as the date of arrival in India, will be the date following the completion of two years, from date of first commission In making the calculation, service, both at home and abroad, is to be taken into account.]

768. In the case of officers other than those mentioned in Article 763 (i), assumed pay is either the pay last drawn in Government service, or, if the officer belongs to a graded service, or is on a progressive or time-scale of pay, that to which he has attained or been promoted in accordance with the rule in Article 752, up to a maximum of Rs. 1,250 a month

769. In the case of an officer *in foreign service of the second kind* contributions for leave allowance and pension are levied on actual sanctioned [illegible] Articles [illegible] the [illegible] lcu- [illegible]

770. Contribution is levied at the following rates :—

	For pension and leave allowance.	For pension only.
(a) In the case of officers of the classes mentioned in Article 763 (i)	3/16	1/4
(b) In the case of other gazetted and non-gazetted officers	1/4	1/8
(c) In the case of inferior servants		1/16 *

[illegible]

PART VII.

the Indian Civil Service who is on foreign service out of India is not required to pay the 4 r cent. annuity deduction from the leave allowance which he receives from his foreign em- yer.]

NOTE 2.—[Percentage deductions (e g, Civil Fund in the case of a member of the Indian il Service) are calculated upon "assumed pay" in foreign service of the first kind and upon ual sanctioned salary in foreign service of the second kind.]

NOTE 3.—[In the case of a Military officer the contribution covers the liability of Indian venues for temporary half-pay or half-pay pension when an officer loses his health during ign service out of India before becoming entitled to ordinary so-called full pay pension]

NOTE 4.—[The Chairman and Deputy Chairman of the Bombay Port Trust and the Chair-, City of Bombay Improvement Trust, contribute for pension only at the rate of ¼th of med pay, their leave allowances for such leave as has been earned in its service being paid he Trust]

NOTE 5.—[The Government of India pay no leave allowances to inferior servants trans- l to foreign service.]

NOTE 6.—[Contributions in respect of Indian troops, warrant and non-commissioned and men of the army departments, etc, lent for service out of India are regulated by ...]

...dition to the contribution prescribed in these rules subscribers ...ension funds pay to Government an additional premium ... premium paid to the Fund :—

Uncovenanted Service Family Pension Fund . one-fourth.

...y Uncovenanted Service Family Pension Fund— .

...ubscribers who joined the fund on or before the 12th November 1900 . . . . one-fourth.

Those who joined after that date . . . . one-sixth.

...engal and Madras Service Family Pension Fund . . one-sixth.

—[In the case of an officer who contributes for leave, the extra premium is not ...ng leave.]

2.—[Subscribers to the Uncovenanted Service Family Pension Funds transferred to ...der a local fund which qualifies for pension payable from the local fund, must, while employed under the local fund, pay the additional premium prescribed in this Article.]

NOTE 3.—[The premium when due from subscribers to the Bengal Fund, is collected by the Directors of the Fund and adjusted in communication with the Comptroller, India Treasuries. In the case of the Bombay Fund if the subscription is paid at a Government Treasury, the premium is collected at the same time without the intervention of the Directors, but in cases in which subscription is paid to the Directors, they collect the premium also and adjust it in communication with the Accountant-General, Bombay.]

Remission of, and Exemption from, Contribution.

772. (a) The Local Government may remit contribution for any period for which an officer in foreign service is temporarily employed under Government, on duties additional to or distinct from his duties in foreign service.

(b) The following classes of officers are exempted from the payment of contribution under the above rules, and their pensions [and, in cases (ii) to (v) leave allowances] are calculated according to the rules applicable to Government servants :—

(i) Officers lent to His Majesty's Government or to British Colonies, Protectorates, etc. In such cases, if the loan is to the War Office, a share of the pension ultimately granted to the officer is paid by the War Office under separate arrangements, but if it is to a British Colony or Protectorate, pension contribution is

(*b*) For officers who are not on a time-scale of pay :—

	Indian Civil Service	Other Services.
	Rs.	Rs.
(*i*) For two years reckoning from the 1st of April following arrival in India, or, in the case of an officer appointed in India, following date of appointment	400	350
(*ii*) For every subsequent year	100	50

Assumed pay whether calculated according to clause (*a*) or (*b*) of this Article is subject to the following maxima ; Rs. 2,500 a month in the case of a member of the Indian Civil Service, or a Military officer subject to the Civil Leave Rules ; Rs. 1,750 in the case of a Military officer subject to the Indian Army leave rules, and Rs. 2,000 a month in the case of any other officer subject to the rules in Chapter XIII : provided that except in the case of members of the Indian Civil Service, Military officers, any other officers whose pensions are fixed in sterling, and officers who may become eligible for a special additional pension under Articles 475, 642 and 643, assumed pay shall not exceed Rs 1,500 a month.

Exception.—In the case of an officer promoted from a subordinate grade to service which is subject to the leave rules in Chapter XIII assumed pay is the pay he would draw from time to time on the Government list to which he belongs.

[illegible] service, both at home and abroad, is to be taken into account.]

768. In the case of officers other than those mentioned in Article 763 (*i*), assumed pay is either the pay last drawn in Government service, or, if the officer belongs to a graded service, or is on a progressive or time-scale of pay, that to which he has attained or been promoted in accordance with the rule in Article 752, up to a maximum of Rs. 1,250 a month.

769. In the case of an officer *in foreign service of the second kind* contributions for leave allowance and pension are levied on actual sanctioned salary, subject to the maxima prescribed in the case of assumed pay in Articles 767 and 768. In return for these contributions the Government accepts the charge for the officer's leave allowances of all kinds and for his pension calculated on sanctioned salary.

770. Contribution is levied at the following rates :—

	For pension and leave allowance.	For pension only.
(*a*) In the case of officers of the classes mentioned in Article 763 (*i*)	$\frac{5}{16}$	$\frac{1}{8}$
(*b*) In the case of other gazetted and non-gazetted officers	$\frac{1}{6}$	$\frac{1}{8}$
(*c*) In the case of inferior servants		$\frac{1}{16}$ *

[illegible] contribution includes the

the Indian Civil Service who is on foreign service out of India is not required to pay the 4 r cent. annuity deduction from the leave allowance which he receives from his foreign em- yer.]

NOTE 2.—[Percentage deductions (e g, Civil Fund in the case of a member of the Indian 'il Service) are calculated upon "assumed pay" in foreign service of the first kind and upon ual sanctioned salary in foreign service of the second kind.]

NOTE 3—[In the case of a Military officer the contribution covers the liability of Indian venues for temporary half-pay or half-pay pension when an officer loses his health during ign service out of India before becoming entitled to ordinary so-called full pay pension.]

NOTE 4—[The Chairman and Deputy Chairman of the Bombay Port Trust and the Chair- , City of Bombay Improvement Trust, contribute for pension only at the rate of ⅛th of med pay, their leave allowances for such leave as has been earned in its service being paid he Trust.]

NOTE 5—[The Government of India pay no leave allowances to inferior servants trans- l to foreign service.]

NOTE 6—[Contributions in respect of Indian troops, warrant and non-commissioned and men of the army departments, etc., lent for service out of India are regulated by ...]

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Those who joined after that date . . . . one-sixth.

...engal and Madras Service Family Pension Fund . . one-sixth.

—[In the case of an officer who contributes for leave, the extra premium is not ...ng leave.]

2.—[Subscribers to the Uncovenanted Service Family Pension Funds transferred to ...der a local fund which qualifies for pension payable from the local fund, must, while employed under the local fund, pay the additional premium prescribed in this Article]

it in communication with the Accountant-General, Bombay]

Remission of, and Exemption from, Contribution.

772. (a) The Local Government may remit contribution for any period for which an officer in foreign service is temporarily employed under Government, on duties additional to or distinct from his duties in foreign service.

(b) The following classes of officers are exempted from the payment of contribution under the above rules, and their pensions [and, in cases (ii) to (v) leave allowances] are calculated according to the rules applicable to Government servants :—

(i) Officers lent to His Majesty's Government or to British Colonies, Protectorates, etc. In such cases, if the loan is to the War Office, a share of the pension ultimately granted to the officer is paid by the War Office under separate arrangements, but if it is to a British Colony or Protectorate, pension contribution is

paid during the period of the loan by the employing Government either to the Government of India, or to the India Office. When, however, an officer is allowed to take up duties under the War Office, he may in certain circumstances be required to pay a pension contribution in respect of the period of the loan.

(ii) Subordinates in the Revenue Survey temporarily lent to Municipalities for duty which, though paid for by them, also promotes Imperial interests.

(iii) Medical officers lent to charitable dispensaries or hospitals in British India. In any province, however, in which the changes in the conditions of service of Assistant Surgeons authorised by the orders in Home Department Resolution No. 1148-50, dated 22nd August 1898, have been brought into operation, contribution must be paid under the ordinary rules.

(iv) Officers of the Royal Indian Marine lent to Port Trusts.

(v) Any other officer or class of officer, who by the specific orders of the Government of India, has been exempted from the payment of contribution.

Procedure for Payment of Contribution.

773. A copy of the orders sanctioning an officer's transfer to foreign service must always be communicated to the Account Officer (referred to in Article 774) by the authority by whom the transfer is sanctioned. The officer [illegible]its [illegible] or [illegible]rs of charge to which he is a party when proceeding on, while in, and on return from, foreign service; and furnish from time to time particulars regarding his salary in foreign service, leave taken by him, his postal address and any other information which that officer may require.

774. (a) In the case of foreign service out of India, the "Account Officer" is the Comptroller, India Treasuries.

(b) In the case of foreign service in India—

(1) if salary in foreign service is paid from a Government treasury, and is subject to audit by an audit officer of Government, the Account Officer is such audit officer;

(2) otherwise, the Account Officer is the Accountant-General of the Province in which the Municipality, Port Trust or other body concerned is situated, or in the case of service under a Native State, the Accountant-General of the Government under whose administration the State is.

775. Ordinarily, contribution is payable directly to Government by the transferred officer himself. Government does not enter into arrangement

with foreign employers or make direct demands upon them. Exceptions to this rule are :—

(a) Cases in which officers are lent to His Majesty's Government or to British Colonies, Protectorates, etc., and in which the contribution is payable by the borrowing Government [*see* Article 772 (*b*) (*i*).]

(*b*) Cases in which salary is payable at a Government treasury under the orders of the Accountant-General, and contribution is deducted from salary ;

(*c*) Cases of members of clerical establishments in foreign service of the second kind, in which responsibility for payment of contributions and compliance with the rules rests with the officer who controls the fund or administers the trust ;

(*d*) Cases in which, by special order or arrangement, contribution is recovered collectively on account of several officers employed under one foreign employer through an agent or officer who represents the employer.

776. Not later than 15 days after the end of each quarter for which salary in foreign service is earned, the officer must remit, in such manner as may be arranged with the Account Officer, the contribution payable by him for the quarter.

In any case in which contribution falls into arrear, the Account Officer should bring the fact to the officer's notice and claim interest at the rate of 4 pies a day per 100 rupees upon the amount due, from the date of expiry of the 15 days to the date on which contribution is paid up.

If any amount due, including interest, is not paid within 12 months of its accrual, the Account Officer should intimate to the officer the amount due up to date, and inform him that in consequence of the default he has forfeited his claim to pension or pension and leave allowance, as the case may be. In order to revive his claim the officer must at once pay the amount due and represent his case to the Local Government who will deal finally with it.

Rules regarding Leave, and the Grant of Leave.

777. An officer holding an appointment in foreign service in India may not take leave or obtain leave allowances from Government unless he actually quits duty and proceeds on leave

778. An officer on foreign service in India may not be granted leave otherwise than in accordance with the rules of the Government service to which he belongs. If such leave is granted to an officer the Account Officer shall on the fact coming to his notice require the leave so granted to be commuted to the leave for which the officer is eligible under rule, and call upon him to refund any allowances in excess of the amount admissible The officer himself is personally responsible for the observance of the rule contained in this Article ; by accepting leave to which he is not entitled under the rules he renders himself liable to refund allowances irregularly drawn, and in the

799. When part of the pensionable service of an officer qualifies for pension from the General Revenues and part from the Local Funds which up to 1st April 1908 were treated as Incorporated, his pension is paid and charged according to the Rule of Proportions: it is not admissible to disregard the pensionable Local Fund service, and award a pension only for the service paid from General Revenues: Provided that if, under this rule, less than one-fourth of the pension would be payable from either source, no distribution shall be made; in such case the other source shall bear the whole charge.

800. In the case of other Local Funds, the rule that service does not qualify does not prohibit the grant and payment of pensions in conformity with the general terms of the pension rules by the authorised administrators of the Funds. But Government is in no way responsible for the sanction or continuance of such pensions, and no standing order for their payment may be issued to, or received by, any Government Treasury, and the procedure rules in Part X do not apply to them.

NOTE.—[The restrictions as to the payment of such pensions do not apply to pensions chargeable to the Calcutta Fire Brigade Fund.]

801. Service in the following establishments paid from Local Funds is treated as qualifying, provided that pension for service under the Fund is paid from the Fund, the Rule of Proportions being applied in the case of service paid partly from the Fund and partly from other sources:—

(i) Establishments paid from Port Funds managed by Government.

NOTE.—[The rule regarding officers of the Royal Indian Marine lent to Port Trusts is given in Article 772(*b*) (iv).]

(ii) Members of the establishment of the Fire Brigade, Calcutta, whose pay at date of discharge exceeds Rs. 20 a month.

[illegible] of the Fire Brigade who was enlisted on or after 27th [illegible] for officers on pay exceeding Rs 20. The pension of a member of the Fire Brigade who was enlisted before 27th December 1905 and subscribed to Police Superannuation Fund, and whose pay at date of discharge does not exceed Rs 20 is, on his being invalided, regulated by Scale A in Article 503 and paid from General Revenues, pro- [illegible] 27th December 1905 to the date of his retire- [illegible] ing Rs. 20.]

[illegible] service under Local Funds should ordinarily [illegible] f the Rule of [illegible] ioned in this [illegible] who before [illegible] of a merely temporary character, that it is solvent and able to bear the charge, and that the pension can legally be charged to it.

Pensions from the General Revenues.

802. The administrators of a Local Fund which banks with a Government Treasury may, with the permission of the Local Government, make

a permanent arrangement for contributing for pensions from the General Revenues for its permanent employés, or for any specified classes of them, by paying to Government a contribution of one-ninth of the sanctioned salaries of the several appointments, provided that the bills on which the establishment charges are drawn from the treasury are subject to the audit of the Accountant-General under the rules prescribed for the audit of Government establishment charges, and that the contribution is added to the establishment bill and paid from the Local Fund by transfer credit to the General Revenues at the time the establishment bill is cashed. Arrear contributions in respect either of individual officers or classes of officers proposed with a view to render past service qualifying cannot be accepted.

1 The Municipal Corporation of the city of Bombay and the Committees of District Municipalities in the Presidency of Bombay may make a similar arrangement for contribution to pensions from the General Revenues for teachers employed in Municipal Schools, without enforcement of the conditions of banking with a Government Treasury and of audit by the Accountant General, provided the Accountant-General is furnished with—

(1) An annual list of the Establishment of teachers in Civil Account Form No. 3 with accompaniment in Form No 4

(2) Health certificates of all new employés

(3) Last-pay certificates of all teachers transferred from other schools.

2. (*a*) Teachers employed in schools maintained from Local or Municipal Funds in Bombay—

(i) who were appointed to Local (not Municipal) Fund service before the 26th June 1882, and on whose behalf contributions were made from Local Funds to the Local Fund Pension Fund or

(ii) who were appointed or transferred from Government Service after the 26th June 1882 (the date the Local Fund Pension Fund was closed to new entrants) and before the 7th January 1889, the date of the new Foreign Service rules, and on whose behalf contributions were specially permitted by the Local Government to be paid to secure a title to pension from General Revenues under the rules in force before 7th January 1889 (*see* "Note" below), continue to be in pensionable service when they are transferred, together with the schools in which they are employed, from Local to Municipal service, and *vice versâ*

the rules in this Chapter.

(*c*) In case (i) any pension granted is charged to the Local Fund Pension Fund and to the General Revenues according to the Rule of Proportions

NOTE —[Under the rules in force prior to January 1889, an officer paid from a Local Fund [illegible]

803. An officer who is in qualifying service under Government may be transferred by the Local Government to service under a Local Fund under the same limitations and conditions as are applicable to transfers to Foreign Service. If the establishments are fixed and controlled by Government in the same way as Government establishments, the limitations and conditions

are those applicable to Foreign Service of the second kind; otherwise they are those of Foreign Service of the first kind.

804. Teachers and other members of the pensionable establishments of Government Schools, who are transferred with the schools to which they belong to service under Local Boards, continue to render service qualifying for pension from the General Revenues, and are entitled to the concession even though they may be moved from the school with which they are transferred to another school which was formerly under Government management.

Teachers appointed to schools transferred to the management of Local Boards are entitled to pension from the General Revenues if the Local Government makes a part of its contribution to the school in the form of free pensions.

805. If an officer, whose service is reckoned as pensionable under the provisions of Article 802, is transferred to the similarly pensionable establishment of another Local Fund, the transfer will not interrupt the continuity of service for pension. Transfers may also be made between such service under Local Funds and service in Government establishments.

806. Article 755(*a*) does not apply to an officer transferred to service under a Local Fund under the conditions and limitations of Foreign Service of the second kind otherwise than as a merely temporary arrangement; but it does refer to transfers to service under a Local Fund under the conditions and limitations of Foreign Service of the first kind.

Post Office Annuities.

807. With the permission of the Government, the Trustees, Committee or Managers of any Local Fund may purchase from the Post Office a pension or annuity for any of their servants for whom such pension or annuity is not otherwise admissible: Provided that such pension shall not exceed the amount which the servant might have obtained if his service had been paid from the General Revenues.

NOTE 1.—[When a pension is payable partly by Government and partly by a Local Fund, the Local Fund concerned may pay the capitalised value (calculated according to Table A in Appendix No 10) of its share of the pension into the Government Treasury instead of purchasing an annuity from the Post Office.]

Local Fund Pension Funds.

808. The Government does not guarantee the solvency of Funds formed by the subscriptions of Local Fund officers, and established to provide pensions for the subscribers thereto.

Exceptional Cases.

809. In the following cases, service paid from Local Funds qualifies:—

(*a*) Service paid from the Cotton Frauds Improvement Fund which qualified for pension payable from that Fund prior to its exhaustion.

(b) Second writers and daroghas on Jail establishments in the Bombay Presidency formerly paid from a Jail Labour Fund.

(c) Muharrirs attached to the Court of any Honorary Magistrate in the Central Provinces, and paid from Municipal Funds.

(d) Officers in the United Provinces transferred in connection with the introduction of the Local Self-Government scheme before the 1st April 1885 to service under Local Committees constituted under Acts III and IV of 1878.

(e) Officers in Assam transferred after the 10th May 1882, and before the 12th May 1884, to service under Local or District Committees constituted by the Assam Local Rates Regulation (1879).

(f) Officers in the Punjab transferred before the 1st July 1886 to service under District Boards constituted under Act XX of 1883.

(g) Service paid from the "Quetta Revenue Fund" before the 1st April 1883, from which date the charges previously paid from the Fund became charges on the General Revenues.

SECTION II.—LEAVE, ACTING AND TRAVELLING ALLOWANCE RULES.

810. Service under the Local Funds which up to 1st April 1908 were treated as Incorporated may qualify for leave under Part III; but the allow- [illegible] be disbursed from the Local Funds and [illegible] the Rule of Proportions. Provided

Page 225. Article 811.

Insert the following Note under this Article:—

NOTE.—[A Local Government may delegate its power under this Article to Heads of Departments.]

(5th Edition—Reprint, No 142, dated 14-8-16.)

[illegible] would be admissible under [illegible] rules which apply to an officer paid from General Revenues.

812. The salary of an officer whose substantive office is paid from a Local Fund appointed to act in an office paid from the General Revenues is calculated as it would be if his substantive office also were paid from the General Revenues.

813. Applications for leav[illegible] made to the Managers of the Local Fund concerned; but [illegible]ntributes for pension and [illegible]d with.

Page 225.

Insert the following Note un[illegible]

NOTE.—[A Local Government may delegate its [illegible] Departments.]

(5th Edition—Reprint No. 142, dated 14-8-16)

[illegible] do not apply to officers [illegible] than General Revenues [illegible] the travelling allowance [illegible]s sanction of the Local [illegible] to similar officers under

PART VIII.—RECORD OF SERVICE.

GENERAL ARRANGEMENT.

PART VIII.—RECORD OF SERVICE.

Chapter XLIII.—Record of Service.

No. 59.

Page 229. *Article 815.*

Insert the words "and Junior Assistant Registrars in the Co-operative Department" *after the word* "Myooks" *in the first line of clause (a) of this Article.*

(5th Edition—Reprint, No 59, dated 6 9 15)

No. 211.

Page 229. *Article 815.*

Substitute the following for clause (b) of this article :—

(b) In the case of Chaplains, the record is kept by (i) the Accountants General of the Provinces in which the Chaplains serve, and (ii) the Comptroller, India Treasuries, for the Archdeacon of Calcutta and the Presidency Senior Chaplain, Church of Scotland, Bengal.

(5th Edition—Reprint, No. 211, dated 7-7-17.)

Railway Department and the [illegible] Postal Services as the case may be, transferred to Foreign
[illegible] certificates, all contributions paid into the Treasuries on
[illegible] General.

No. 212.

Pages 229-230. *Article 816.*

Substitute the following for "Exceptions" *under this Article :—*

(1) Non-gazetted officers the particulars of whose service are recorded in the "History of Services of gazetted and other officers" or in Service Registers maintained by the Accountant General (2) Sub-Registrars in Bihar and Orissa whose record of service is maintained by the Inspector General of Ragistration in the form of Service Registers. (3) Members of the Salt Preventive Force mentioned in item (3) under Article 494 of these Regulations and Police Officers whose pay does not exceed Rs. 20. (4) Postmen and village postmen. (5) Mandals employed in the Assam Valley Districts. (6) Myooks and Junior Assistant Registrars in the Co-operative Department in Burma. (7) Permanent subordinate non-pensionable employés on State Railways for whom a special form of record has been prescribed. (8) Inferior servants of all sorts.

(5th Edition—Reprint, No. 212, dated 7-7 17)

SECTION III.—NON-GAZETTED POLICE SERVICE.

823. In the case of Police officers whose pay does not exceed Rs. 20, there shall be kept up for each district by the District Superintendent of Police a Service Roll in English, in which shall be recorded the date of the enrolment of each man in the Constabulary; his caste, tribe, village, age, height, and marks of identification when enrolled; his rank, promotion, reduction or other punishment; his absences from duty, on leave or without leave; the interruptions in his service; and every other incident in his service which may involve forfeiture of portions of his service, or affect the amount of his pension. The roll shall be checked by the Vernacular Roll and Order Book and the Punishment Register, and every entry in it shall be signed by the District Superintendent of Police.

824. From this Roll the necessary statement of service of every applicant for pension shall be prepared, additional proofs being collected, as prescribed in Article 908, in respect of any service rendered before enrolment in the Constabulary which the applicant may be entitled to count.

PART IX.—PROCEDURE RELATING TO LEAVE.

GENERAL ARRANGEMENT.

PART IX.

PART IX.—PROCEDURE RELATING TO LEAVE.

Chapter XLIV.—Applications for and Grant of Leave.

SECTION I.—APPLICATIONS

825. Except as provided in Articles 841 to 845 and 848, an application for leave should be submitted to the Local Government, or other authority whose duty it would be to fill up the appointment of the applicant if it were vacant.

1 When a gazetted officer applies for leave, he should quote the Article or Section of these Regulations under which he considers himself entitled to the leave.

Privilege Leave.

826. An officer applying for Privilege leave must, except when the leave is combined with other leave under Article 233, record a declaration that he has no intention of retiring or of taking long leave of any kind, for three months after his return to duty. Though not absolutely debarred by this declaration from applying for permission to retire or to take long leave within the three months, he should, if he does so, explain his change of mind.

to the discretion of the authority granting the leave to grant or refuse it, as may seem proper in each case.

2. An officer who has been granted Privilege leave in combination with other leave is not permitted to resign the service until a period of at least six months has elapsed from the beginning of his combined leave

827. In applying the preceding Article to officers of the State Railway Revenue Establishments referred to in Article 661 (*a*), the word "otherwise than as provided by Article 661 (*a*)" should be added after "kind"

Medical Certificates—General Rules.

827A. Medical Officers are debarred from recommending the grant of sick leave in any case in which there appears to be no reasonable prospect that the officer concerned will ever be fit to return to duty. In such a case, the opinion, that the officer is permanently unfit for service under Government, should be recorded in the Medical certificate

admissible under the rules applicable to him. If however, the officer is declared to be completely and permanently incapacitated for further service in India [*see* Article 447 (*a*)], there is ordinarily no alternative but to invalid him from the service, either at the expiration of the leave already granted to him, if he is on leave at the date of his appearance before the Medical Board, or, if he is not on leave, then from the date of the Board's report. In special cases, as for example where the officer's breakdown in health has been caused in and by the service, or where he has had a comparatively small proportion of leave during his service, or will complete at an early date an additional year's service for pension, the Local Government may at [illegible]

under civil rules.]

827B. All certificates of medical boards or medical officers granted under the provisions of Articles 829 or 831 of the Civil Service Regulations (or under any similar rules applicable to particular classes of officers) should contain a proviso that no reoommendation in them shall be evidence of a claim to any leave which may not be admissible to an officer under the terms of his contract or the rules to which he is subject.

Medical Certificates—Gazetted Officers.

828. An application from an officer in India for leave, or extension, or commutation of leave on medical certificate, must be accompanied by a certificate in the following form, or as nearly in this form as the circumstances allow :—

[illegible]

829. With the cognizance of the head of his office, or if he is himself the head of his office, of the head of his department, the applicant must, except in the cases provided for in Article 831, present himself with two copies of the statement of his case at the seat of the Government under which he is serving, or at such other place as may be appointed by that Government, where a Committee of Medical officers can be assembled under the orders of the Administrative Medical Officer of the Province, and when practicable, presided over by him. From this Committee the officer should obtain a certificate as follows :—

We do hereby certify that according to the best of our professional judgment, after careful personal examination of the case, we consider the health of *C D* to be such as to render leave of absence for a period of (x) months absolutely necessary for his recovery.

830. Before deciding whether to grant or refuse the certificate the Committee may, in a doubtful case, detain the applicant under professional observation during a period not exceeding fourteen days. (*See Article 325.*)

831. If the state of the applicant's health be certified by a Medical officer, Commissioned or in charge of a Civil Station, to be such as to make it inconvenient for him to repair to the seat of the Government under which he is

serving, or to any other place, the authority by whom the leave is granted may accept either,—

(1) a certificate signed by any two Medical officers, Commissioned or in charge of a Civil Station, who need not belong to the same province as the applicant; or

(2) if the authority concerned considers it unnecessary to insist upon the production of two medical opinions, a certificate signed by an officer in medical charge of a Civil Station and countersigned by either the District Officer or the Commissioner of the Division.

832. The certificate obtained should then be submitted to Government for orders. The grant in Article 829 of the option of undergoing medical examination at the seat of the Government under which he is serving, or at any other place, does not confer on the applicant a right to proceed on leave without the sanction of the Government to which he is subordinate

Medical Certificates—Non-gazetted Officers.

833. Application for leave or extension or commutation of leave on medical certificate must, in the case of an officer in Superior service, be accompanied by a certificate from the applicant's medical attendant. The certificate should distinctly state the nature of the illness, its symptoms, causes and duration, and the period of absence from duty considered to be absolutely necessary for the restoration of the applicant's health It should be countersigned by a Presidency Surgeon, if the applicant is at a Presidency town, and in all other cases, by the officer in chief medical charge of the district where the applicant resides Subject, however, to any orders on the subject issued by the Local Government, the head of the office may, at his discretion, accept a certificate from the applicant's medical attendant without such countersignature.

834. [illegible] cretion require the appli- [illegible] certificate of his medical [illegible] which case such officer may, after careful investigation of the case, either countersign the certificate or refuse to do so, as he thinks fit No certificate should be submitted for countersignature without the cognizance of the head of the applicant's office.

835. *Cancelled*

Medical Certificates—Gazetted and Non-gazetted Officers.

836. If the officer is going on leave out of India, he should take with him one copy of the medical report upon his case.

837. A duplicate of the medical report of an officer going on furlough on medical certificate or leave on medical certificate to Europe, North Africa, America, or the West Indies should be forwarded without delay direct to the Under Secretary of State for India, by the Local Government under which the officer is employed, for the information of the Medical Board attached to the India Office, so as to arrive as soon as the officer reaches his destination.

838. (*a*) An applicant for an extension or commutation of leave on medical certificate who is residing in Europe, North Africa, America, or the West Indies, must satisfy the Medical Board at the India Office as to the necessity for the extension or commutation

Ordinarily he must attend at the India Office for examination at the Board; but, in special cases, particularly if he be residing at a distance of more than sixty miles from London, a certificate in a form to be obtained from the India Office and signed by two medical practitioners may be accepted. A certificate obtained oustide England and signed by foreigners must be attested by consular or other authority as bearing the signature of qualified medical practitioners

(*b*) An applicant for an extension or commutation of leave on medical certificate who is residing in any place out of India not mentioned in clause (*a*) of this Article, must submit with his application (which is to be submitted to the proper authority in India under Article 238) certificates f om two medical practitioners in the following form :—

We hereby certify that we have carefully examined Mr. A B. of the
the disease
we declare
ɔelief, he is
ary for the
recovery of his health that his present leave which will expire in India on .... should be extended by ... . months/weeks

Date ——————

Place ——————

The certificate must be attested by the Principal Medical or other authority where the officer resides.

SECTION II.—GRANT OF LEAVE.

839. Leave may be granted with retrospective effect from the date on which it is admissible.

840. Unless specially otherwise ordered, leave must begin within thirty-five days of the date on which it is granted.

841. (*a*) After obtaining a report from the Audit Officer upon the title of an applicant who is a gazetted officer to the leave applied for, the Local Government may grant any leave admissible under the Regulations.

NOTE.—[For the purposes of this rule, Myooks in Burma are treated as gazetted officers]

(*b*) In the case of an officer who is not gazetted, leave may be granted by the authority whose duty it would be to fill up his appointment, if vacant.

The report of an Audit Officer is not required on the title to leave of an applicant who is not a gazetted officer.

(*c*) The Local Government may, with or without restrictions, delegate the power of granting leave to any officer who, in its opinion, can judge of

the expediency of granting the leave and who can, without reference to higher authority, make the necessary arrangements for carrying on the absentee's duties during the leave. The Local Government may at any time withdraw powers delegated under this clause.

(*d*) An officer acting under clause (*c*) must in the case of a gazetted officer, first obtain a report from the Audit Officer that the leave is admissible. If he grants the leave, he must communicate his orders to the Audit Officer by insertion in the Gazette or otherwise. In delegating its powers of granting leave in accordance with clause (*c*), the Local Government will decide whether, in the case of gazetted officers, either the grant or the refusal of the leave should be reported to it.

842. A Local Government granting leave to a member of the Indian Civil Service on the Bengal, Madras, or Bombay Establishment serving out of his own Presidency, should inform the Government of India, Madras, or Bombay, as the case may be.

843. Leave to an officer appointed by a High Court is granted by the Chief Justice, subject, in the case of gazetted officers, to the report of the Accountant-General that the officer is entitled to the leave.

844. *Cancelled.*

845. *Cancelled.*

SECTION III.—RULES REGARDING CHAPLAINS

Church of England.

846. Subject to the exigencies of the public service, Local Governments are empowered, with the concurrence of the Bishop of the Diocese, to grant any Furlough or Special leave authorised by these Regulations to Chaplains serving within their respective jurisdictions. Priority of claim is determined in accordance with Article 310

847. If a Chaplair [illegible] Ecclesiastical Establishment, but is [illegible] for Furlough or Special leave, the [illegible] will, if it grants the leave, inform the G[illegible] the case may b[illegible]

[illegible] ge leave [illegible] which [illegible] tension

[illegible] ificate [illegible] ible, and [illegible] proper channel, to the [illegible] will transmit applications for Furlough [illegible] leave, with his remarks to the Local Government concerned, and will himself dispose of applications for Privilege leave. In cases of urgency, leave on medical certificate may be granted by the Local Government in

(b) All reports of officers' arrival from, and departure on, furlough or leave in or out of India with dates of embarkation and debarkation, as well as those of being struck off or of resuming duty, should be forwarded to the Account Officer in charge of the officer's record of pension service.

(c) On the return of an officer from furlough or leave, it will be the duty of the Account Officer in charge of his record of pension service to satisfy himself that he has returned within his leave; and, if not, to report the case to the sanctioning authority.

858. When a Military officer subject to the Military Leave Rules applies for leave of absence on medical certificate, or proceeds to a seaport for the purpose of appearing before a Medical Board, he should communicate his intention to his immediate departmental superior when he sends in his application, or before he leaves his station, as the case may be.

859. An application from a Military officer subject to the Military Leave Rules for Special leave under Article 316 should be submitted to the Local Government for sanction with a certificate from the officer in charge of the officer's record of pension service that he is entitled to it

860. A Military officer subject to the Military Leave Rules proceeding on Furlough or Special leave, cannot obtain a last-pay certificate or a warrant, as the case may be, until he submits to the Audit Officer a certificate in Form 1 by the Account Officer in charge of his record of pension service.

Commissioned Medical Officers.

861. (a) An application for any leave except Privilege leave and leave on medical certificate from a Commissioned Medical officer in permanent or temporary Civil employment, should be submitted by the applicant, together with the Audit Officer's certificate, to the Local Administrative Medical Officer, by whom it will be forwarded to the Director-General, Indian Medical Service.

The Director-General will countersign the application if the state of the public service admits of leave being granted, and forward it to the Local Government. If the state of the public service does not admit of leave being granted, he will abstain from countersigning the application. On the application so countersigned, or from which countersignature has been withheld, the Local Government will be in a position to pass orders. The same procedure will be followed in the case of medical officers applying for extension of furlough on private affairs.

(b) An application for any leave except Privilege leave and leave on medical certificate from a Medical officer appointed by the Government of India should be forwarded, with the Audit Officer's certificate, through the Administrative Medical officer and Local Government, to the Department of the Government of India concerned, who, after consultation with the Director-General, Indian Medical Service, will pass the necessary orders.

NOTE.—[A Local Government granting leave or extension of leave to a Commissioned Medical officer in temporary Civil employ should communicate a copy of the order to the Director of Medical Services in India.]

Chapter XLV.—Payment of Leave Allowances.

Page 243, Article 862—

Add the following at the end of the first sub-paragraph of this Article:—

In cases, however, where the non-drawal of leave allowances at sterling rates outside India is due to no fault of the officer concerned the Government of India may authorise the undrawn allowances to be paid in India at such sterling rates, converted into rupees at the official rate of exchange.

No. 149.

Page 243. Article 863.

Substitute the following for this Article and the Notes thereunder, as amended by Correction Slip No. 59, dated 6th September 1915:—

863 Except in the Public Works, Railway and Telegraph Departments, a gazetted officer on leave may draw his allowance at any treasury in India.

NOTE —[For the purposes of this Article, Myooks and Junior Assistant Registrars in the Co-operative Department in Burma are treated as gazetted officers]

(5th Edition—Reprint, No. 149, dated 10-10-16)

tificate as aforesaid, or execute a bond to refund overpayments A life certificate may be given periodically, a bond being given to cover intermediate payments not supported by the life certificate.

Page 243. Article 865.

Insert the words "or on leave out of India when he desires to draw his allowances in India" after the words "in India" in the first line of this Article.

(5th Edition—Reprint, No. 149, dated 10-10-16)

graph Department during leave in India is regulated by special departmental rules.

Payment out of India.

867. An officer proceeding on leave out of India cannot draw his leave allowance at the Home or any Colonial treasury unless he is provided with a last-pay certificate or warrant in accordance with the rules laid down in Chapter XLVI.

868. When payment is made at the Home treasury or in ... the standard of currency is gold, rupees are co... rate of exchange fixed for the time being f... transactions between the Imperial and t... condition that conversion into sterli... the minimum rate for 1*s* 4*d*. to the... to the rupee for Leave other than l... a different rate or otherwise erron... payments.

74.

868.

... admissible in respect of su... the conversion shall be ... words "Privilege leave" in ...

50 · 74

Exception —The officers whose name ... authorised by the Secretary of State to r... at the rate of exchange of 2 shillings to t...

1 If in any covenant or contract da... day of November 1871, with any officer for service in India, it is provided t... to be made under, or in pursuance of, the contract, a pound sterling shall b... an equivalent or equal to, and calculated after the rate of ten rupees, any leave al... which the officer is, under his covenant or contract, entitled to receive in England, shall be converted into sterling at that rate. But if, in such contract, no provision is made for the payment of any allowances during leave, the aforesaid rate of exchange will not apply to any leave allowances.

NOTE —[When leave allowances are converted into sterling at 1*s* 6*d* to the rupee, each fraction of less than one-third of a rupee is treated as a complete third (=6*d*), each fraction of more than one-third and less than two-thirds, as two-thirds, and each fraction of more than two-thirds as a whole rupee.]

869. The leave allowances of all officers are issued at the Home treasury monthly in arrear on the first day of each calendar month.

They are made up to the following quarterly dates, 31st March, 30th June, 30th September and 31st December, and they are paid in monthly instalments, the first two instalments in each quarter being the net amounts accrued, omitting shillings and pence, and the third instalment being the balance due for the quarter.

Payment is made—

(i) to the officer on his personal application; or

(ii) to his banker or other agent, duly authorised under power-of-attorney, on production of a life certificate, filled up and executed in the manner directed thereon (except in cases where proof of existence is not required owing to the banker having guaranteed the Secretary of State against loss consequent on his dispensing with the production of such proof); or

(iii) on presentation of a draft, duly filled up and signed by the officer, in a form which, with the requisite form of life certificate attached, may be obtained from the India Office, on the officer's written application.

Certificate of Leave.

870. (*a*) Privilege leave allowances, when such leave is taken by itself, are not payable out of India; but in case an officer leaving India should afterwards want to combine his leave with other leave, he should take with him a certificate in Form 9.

(b) This certificate should be furnished to those officers only who may apply for it and the Audit Officer need make no enquiries as to the place in which an officer intends to spend his Privilege leave. A Military officer subject to the Military Leave Rules must himself obtain the certificate prescribed in Rule 1 of Article 871, and submit it to the Audit Officer with a view to the preparation of his Privilege leave certificate, should he require one

NOTE.—[Duplicate of a Privilege leave certificate is not forwarded to the India Office.]

871. (a) An officer proceeding on Long Leave to Europe who does not intend to draw allowances from the Home Treasury should take with him a Certificate of Leave in Form 10 from the Audit Officer in whose circle of audit his appointment is held. If he visits England, this certificate is to be presented at the India Office.

1. A Military officer subject to the Military Leave Rules proceeding on Furlough cannot obtain the certificate in this Article until he submits to the Audit Officer a certificate in Form 1 by the Account Officer in charge of his record of pension service

(b) If the officer afterwards desires to draw his leave allowances at the Home treasury or at some Colonial treasury, he must obtain a last-pay certificate from the Audit Officer in whose circle of audit he was employed when he proceeded on leave.

872. An officer proceeding on Long Leave to North Africa, America, or the West Indies must take with him a certificate in the form prescribed in the preceding Article If he visits England or has some occasion to apply for an extension of leave, the certificate should be presented at the India Office. If not previously presented, it must be forwarded to the India Office when permission to return to duty is applied for

873. An officer proceeding on Extraordinary leave without allowances to Europe, North Africa, America, or the West Indies must take with him a certificate of leave in Form 11 from the Audit Officer in whose circle of audit his appointment is held If the officer visits England, or has occasion to apply for an extension of leave, the certificate should be presented at the India Office. If not previously presented, it must be forwarded to the India Office when permission to return to duty is applied for. The Audit Officer should, when he issues this certificate, send a duplicate to the India Office.

Chapter XLVI.—Last-pay Certificates and Warrants.

SECTION I.—LAST-PAY CERTIFICATES.

874. Except as provided in Article 879, no officer can begin to draw his leave allowances at any treasury in India, or at the Home treasury, without producing a last-pay certificate from the Accountant-General of the province to which he belongs.

1 No-demand certificates are not required by an officer going on leave.

875. Last-pay certificates (and warrants) cannot be issued to Military officers subject to the Military Leave Rules, until Article 860 has been complied with.

876. Except in respect to Colonial Warrants (Articles 888 to 891), this Section does not apply to Public Works and Railway officers whose last-pay certificates are issued under departmental rules.

Extensions and Commutations.

877. If the leave of an officer, whether in or out of India, is extended or commuted, the Audit Officer within whose jurisdiction the officer is employed must, on receiving advice of such extension or commutation, forthwith communicate it to the Audit Officer within whose jurisdiction his leave allowances are drawn. He should also communicate any other circumstances connected with the leave which may be required to be known to the Audit Officer who passes the officer's leave allowances.

Leave in India.

878. When an officer proceeds on leave from one place to another in India, he should obtain a certificate in Form 16 from the Accountant-General of his Presidency or province. If during leave the officer desires to change the treasury at which he receives payment of his allowances, he must obtain a new last-pay certificate.

879. An officer on leave, who does not leave his district does not require a last-pay certificate: nor does an officer who leaves his district on leave in India without allowances.

Leave out of India.

880. When an officer proceeds out of India on leave with allowances, other than Privilege leave taken by itself, the Accountant-General who audits his pay will, as soon as the leave is gazetted or otherwise notified, send him a letter in Form 12 or 13 with enclosure in Form 14 or 15 as the case may be, requiring him to call at his office or give the necessary information.

881. If the officer calls at the Accountant-General's office, he will be paid up to the day before he leaves India, and will be given a last-pay certificate in Form 16 if he intends to draw his leave allowances at the Home treasury, and in Form 17 if he is proceeding to a Colony and intends to draw his leave allowances there.

NOTE.—[An officer on combined leave under Article 233 who proceeds out of India during the Privilege leave portion of such leave, may be granted a last-pay-certificate in view to the payment of his allowances at the Home Treasury or in a Colony from the commencement of his Privilege leave. In that event, he must draw in India allowances due up to the date of giving up charge of his office.

882. If the officer is unable to call at the Accountant-General's office, the Accountant-General will prepare a bill for his allowances from the end of the month preceding that of his making over charge, to the day before he sails, and will (if the officer intends to draw leave allowances at the Home treasury or in a Colony) forward it with the certificate in Form 16 or 17 as the

case may be, to the Treasury Officer, for delivery to the officer according to the instructions in Form 18.

NOTE.—[*See* Note under Article 881.]

883. With every such last-pay certificate a blank Form 19 will be given, on which the officer will report to the Accountant-General, from the first port at which the vessel touches, the day of his departure from India

884. When the Audit Officer delivers, or receives from the Treasury Officer, a report in Form 20 that he has delivered a last-pay certificate to the officer concerned, he will, if the certificate is in Form 16, forward a duplicate of the certificate to the India Office.

885. When the officer proceeding to England is compelled to leave without a last-pay certificate, the necessary document should be forwarded to him, and a duplicate to the India Office, at the earliest possible date.

886. An officer proceeding to Europe should present his last-pay certificate at the India Office. When he returns to India, he should obtain a last-pay certificate from the India Office.

887. A last-pay certificate in Form 16—the 11th and 13th columns and the notes below it being omitted—is required in the case of an officer proceeding on leave out of India whose leave allowances, payable in India, are required to be paid in a circle of audit other than that under which the officer's appointment is held. If change of treasury is at any subsequent time desired, a new last-pay certificate in the same form must be issued by the Accountant-General who last paid the allowances.

Colonial Warrants.

888. (*a*) An officer, including an officer of the Public Works or Railway Department (*see Article 876*), proceeding to a Colony should submit his last-pay certificate to the Comptroller, India Treasuries, at Calcutta, or if he embarks at any port in the Provinces of Madras, Bombay, or Burma, to the Accountant-General, Madras, Bombay, or Burma, as the case may be.

(*b*) The Comptroller, or the Accountant-General, as the case may be, will retain the last-pay certificate, and, in lieu thereof, issue a Warrant in Form 21 upon the Colonial authority concerned.

889. Every Warrant shall be issued in triplicate. The original, bearing the payee's signature, should be forwarded to the Colonial authority concerned, the duplicate to the Secretary of State, and the triplicate should be made over to the payee. Each payment should be endorsed on the back of both the original and the triplicate Warrant, an acknowledgment of receipt of money being rendered by the payee. When no space for such entries remains, or when a Warrant is lost or destroyed, a fresh Warrant shall be issued by the officer who issued the original Warrant, on application being made through the Colonial disbursing officer.

890. Upon his return to India, an officer should deliver up his copy of the Warrant which will serve the purpose of a last-pay certificate.

891. The Government of India recognise the proceedings of the Colonial authorities sanctioning the transfer of the payment of leave allowances from one Colony to another, but such transfer should be reported separately by the absentee to the Government of India and to the Under-Secretary of State for India.

NOTE.—[Articles 888 to 891 apply to Military officers subject to the Military Leave Rules.]

Copy of Rules to be furnished.

892. Every officer going on leave out of India should procure from the Account Office and take with him a copy of the "Memorandum of information issued for the guidance of officers proceeding on leave (other than Privilege leave taken by itself) out of India."

SECTION II.—RULES FOR PREPARING LAST-PAY CERTIFICATES.

893. In Forms 16 and 17 it should be stated to which Presidency an officer belongs, in which Presidency or province he is employed, and whether the absentee allowance is chargeable to the Civil, the Military, or the Public Works Department.

894. To enable the Home authorities to ascertain at once the Department to which the absentee allowance is to be charged, the certificates of officers proceeding on leave to Europe shall be prepared—

(i) in Black ink for officers in the employ of the Military Department.
(ii) in Blue ink for officers in the employ of the Public Works or Railway Department.
(iii) in Red ink for officers in the employ of the Civil Department.

[illegible] in rupees a [illegible] f absentee al[illegible]ce to the maximum or minimum applicable, and then, if a maximum or minimum applies or if the allowance is such that a future change in the official rate of exchange may render a maximum or minimum applicable, the words should be added, "subject to a maximum (or minimum) of," etc.

896. In Form 16 it must be shown whether an officer is entitled to the full amount of Furlough permitted by the rules.

NOTE.—[See Note under Article 851.]

897. In column 11 in Forms 16 and 17, the Articles of these Regulations or of the Military Furlough Regulations under which the advance is made should be mentioned.

Amended Certificates.

898. (a) Every corrected last-pay certificate whether original or duplicate should be marked "Amended Certificate." If it becomes necessary to amend a

last-pay certificate in Form 16, it should be done by the use of a short corrigendum worded so as to show only the particular item or items in which alterations have been made; this corrigendum should be forwarded by the Accounts Officer at the earliest possible date direct to the India Office.

(b) The last-pay certificate is issued on the assumption of the correctness of the intended dates of making over charge and of leaving India If these dates are changed, the required adjustment of allowances will be made when the officer returns to India, or, if necessary, sooner. No alteration may be made in the certificate as issued by the Accountant-General unless there is time to send it to him for alteration

(c) In all cases of combined leave in which an officer elects to draw his Privilege leave allowances at the Home Treasury, an amended last-pay certificate should be sent to the India Office whenever the amount of Privilege leave allowances entered in the original last-pay certificate requires correction, unless the officer is known to have started on his return to India If the amended last-pay certificate arrives too late at the India Office, it will be returned to the issuing officer in India.

Source from which Absentee Allowance is payable.

899. In making entries against the heading "Source from which," etc., the term "Indian Revenues" should be used in all certificates intended to be sent to England, as the term "Imperial Revenues" has there a different signification. If the allowance is not chargeable finally to the Government of India, the Local Administration or Fund from which it is recoverable must be expressly stated.

900. When leave allowances are chargeable according to the Rule of Proportions, the following is the service to be thus taken into account :—

(a) *Privilege Leave, under Articles 216 to 278* —

Privilege leave; duty without interruption for a period eleven times as long as the Privilege leave.

(b) *Long Leave, European Services, under Chapter XIII* —

Furlough on Medical certificate (Articles 308 to 311), the whole continuous service

Furlough without medical certificate, including extensions (Articles 308 and 309), the whole continuous active service.

Special leave; active service for six years

Subsidiary leave, as for the leave to which it is subsidiary

(c) *Military Furlough Regulations of 1868* —

Furlough without medical certificate—

First two years (Rule IX), actual service in India for eight years
The rest, actual service in India for six years

(d) *Military Furlough Regulations of 1875* —

Furlough without medical certificate (Rule I), proportion of service in India or under the Government of India taken into calculation in the grant of furlough.

(e) *Leave Rules for the Indian Army* .—

All leave, the whole pensionable service, but in this case, in calculating the charge to be borne by a Foreign and the British Government, the period of service, and not the aggregate salary drawn is taken into account.

No. 116.

Page 250. *Article 900.*

Substitute the following for clause (f) of this Article:—

(f) Long leave, Indian Services, under Chapter XIV, and Statutory Civil Servants, under Chapter XXVI:—

Leave on private affairs (Article 337 or 566 (Leave Regulations), Section 4 (b)); service for six years.

Furlough (Article 338 or 566 (Leave Regulations), Section 4 (c)):—

First year: service for ten years.

Second year; service for eight years.

More than one year; service for eighteen years.

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complete the term of service, ... required to retire from the service, should be shown.

Civil Fund Deductions.

903. (a) The Secretary of State recovers subscriptions on account of the different Civil Funds from subscribers absent from India on leave who draw their leave allowances in England, who either are required by the rules of their Fund to pay their subscriptions in that country during leave, or elect to do so. Particulars of the Fund deductions to be made from the absentee allowances of officers on leave drawing their leave allowances in England should be noted on the last-pay certificates; and where a subscriber elects to make payments of his subscriptions in India while on leave, or to postpone such payments until his return to India, the fact should also be noted on the last-pay certificate The rules under which the deductions are made, and the method by which they are calculated in the cases of the different Funds will be found in Articles 557 to 560.

(b) The deductions to which the allowances of a member of the Indian Civil Service are subject while he is on leave on account of his annuity should invariably be stated in his last-pay certificate. (*See Article 556.*)

Chaplains.

904. A certificate in Form 30 should be attached to the last-pay certificate of a Chaplain proceeding on leave to Europe.

Part X.—PROCEDURE RELATING TO PENSIONS.

GENERAL ARRANGEMENT.

(c) If there be any discrepancy, the Audit Officer will detail the nature of such discrepancy; for instance, that the post which the applicant states that he filled during a certain period is shown by the Audit Office registers to have been filled by another man.

(d) If the service claimed cannot be wholly verified from the records of the Audit Offices, reference must be made to the head of the office in which the applicant states that he served during the period in doubt.

(e) If it be found impossible to verify the service otherwise, the officer receiving the application should take the statement in writing of the applicant on plain paper [*see Indian Stamp Act, II of 1899, Schedule I, No. 4* (c)], and should also collect such collateral evidence as may be procurable; for instance, certificates, such as those given by an officer to a subordinate on his leaving an office, and the testimony of contemporary servants.

NOTE 1.—[The power to admit service verified under this clause may be exercised by

909. In the case of a gazetted officer, part of whose service has been rendered in non-gazetted appointments, the ungazetted portion of his service should be similarly verified. The statement mentioned in Article 907 *(a)* may, however, be sent to the *Audit Officer* direct or through the head of the department.

Formal Application.

910. After completing the verification in the manner prescribed in the preceding Article, the authority receiving the statement of services of a non-gazetted officer should draw up the application in Form 25, and arrange with it *all* the documents relied upon for *verification of the service claimed*, in such manner that they can be conveniently consulted, and then forward it, together with the officer's Service Book, with the statement in Form 24 duly completed up to date, through his official superiors to the Audit Officer. If an applicant for pension (not gratuity) is no longer in active service, a last-pay certificate should be attached to the application, except when he retires from the service while on leave in England and desires to draw his pension in England.

911. (a) The officer who submits the application should certify on the application whether the character, conduct, and past services of the applicant are such as to entitle him to the favourable consideration of the Government. If the application is for pension on the Superior scale, he must be careful to enter all period of leave, suspension, etc., which are not reckoned as service.

(b) He must also invariably record his own opinion whether the service claimed has been established, and should be admitted or not; more

especially in those cases in which it becomes necessary to resort to the procedure prescribed by clause (*e*) of Article 908, when the exact nature of the investigation made, and the conclusion at which the authority has arrived, must be especially reported.

(*c*) If the application is for an Invalid pension, and the applicant is less than sixty years old, the requisite medical certificate should be attached to the application. But if omission has been made in this respect, the authority having the power to sanction the pension may accept a certificate bearing a later date.

912. In the case of an officer in superior service, who retires before he is 60 years of age, it should be stated in the column for "any other remarks" on the third page of the application for pension whether retirement is com-

No. 59.

No. 212

Page 255. Article 914.

Insert the following as Article 914-A:—

914-A (*a*) When a non-gazetted officer for whom a service roll is maintained under Article 817 retires, the officer who maintains the service roll should proceed to verify the services of the claimant with reference to office copies of pay bills, acquittance rolls, or other relevant records. [The procedure laid down in Article 908 (*e*) may also be adopted when necessary.] He

should then prepare a certificate of verification, referring briefly to the documents [illegible] e service claimed. He will then draw up [illegible] ward it together with the officer's service [illegible], and the certificate of verification supported by necessary papers, through his official superiors to the authority empowered to sanction the pension. If the applicant for pension is no longer in active service, a last-pay certificate should also be attached to the application. The authority competent to sanction the pension may sanction it before submission of the pension papers to the Audit office, provided that the claim in each case is for the period of continuous and verified service and the pension is clearly admissible under the strict letter of the rules. All doubtful claims should, however, be kept pending until they have been certified to be admissible by the Audit officer.

(*b*) The Audit officer will, on receipt of the pension papers, exercise the necessary check on the basis of the facts entered therein and also with reference to the relevant rules. If the claim is in order and has already been sanctioned by competent authority, he will arrange for its payment forthwith. In other cases, he will follow generally the procedure laid down in Article 914 (*b*).

NOTE 1.—[The above procedure is also applicable *mutatis mutandis* to runners, boatmen, and coolies in the Post Office referred to in Article 817, for whom neither service books nor service rolls are required to be maintained.]

NOTE 2.—[In the case of Police Officers on pay not exceeding Rs. 20 a month the procedure laid down in entry No. 49 in Part III of Appendix I will be followed.]

Premature Applications.

915. (*a*) The Government of India is ordinarily unwilling to pass orders on questions affecting the pension of an officer until he actually retires, because their premature discussion occupies valuable time almost always to no purpose, and uselessly.

(*b*) Accordingly no question about the pension of an officer who has not retired from the public service should be submitted either to the Local Government, or by the Local Government to the Government of India, unless there are special reasons (which should always be set forth) for a departure from the general rule. The mere desire of an officer for a decision upon some doubtful abstract questions affecting his prospects does not justify public correspondence on his behalf. But this rule should not be *read as prohibiting the consideration until an officer retires or is about to retire*, of a proposal to condone a break in his service.

916. Except under orders from the Government of India or the Local Government, an Audit Officer should, as a rule, decline to advise upon any questions connected with the claim of an officer to pension until he retires or is about to retire. Memorials which relate to such questions addressed prematurely to the Secretary of State are uniformly returned.

917. Articles 915 and 916 do not prohibit the submission of a preliminary application for pension [*see Article 907* (*b*)] on behalf of an officer intending to retire immediately, while he is still in employ.

SECTION II.—POWERS OF SANCTION.

918. A pension which is certified by the responsible Audit Officer to be clearly and strictly admissible under rule may be sanctioned—

(*a*) in any case, by the Local Government,

(*b*) in the case of non-gazetted officers, by the officer who has the authority to fill the appointment vacated by the retiring officer.

919 to 920.—*Cancelled.*

921.—(*See Appendix I, Part II, Entry 40.*)

922. Should the amount granted to an officer be afterwards found to be in excess of that to which he is entitled under the Regulations, he will be called upon to refund such excess.

923. (*a*) If any interpretation of the rules is involved, or if any indulgence not provided for by the rules is proposed, the Local Government should submit the case, with its opinion and recommendation, to the Government of India in the Administrative Department concerned.

NOTE.—[In respect to such recommendations, *see* orders printed as Appendix 9.]

(*b*) Until the orders of the Government of India are received, a recommendation for any special indulgence should never be communicated, directl or indirectly, to the officer concerned.

(c) The Government of Madras and Bombay should, upon questions of pension, communicate with the Secretary of State, through the Government of India.

(d) An application in Form 25 (together with the statement in Form 24) or 22, as the case may be, should accompany every special recommendation made under this Article.

924. (a) Pensions in excess of the amounts admissible under these

Page 257. Article 924 (b).

For Rs. 10 in the second line substitute Rs. 25 and add at the end of the Article:—

"Provincial Governments exercise similar powers in respect of officers serving under them."

(5th Edition—Reprint, No 142, dated 14-9-16)

... justify a departure from the rules laid down regarding "ordinary pensions" to Civil officers, it is generally desirable that the allowance granted should be an arbitrarily fixed sum, rather than any exact proportion of the amount to which it might be supposed that the rules afford a claim.

SECTION III.—ANTICIPATORY PENSIONS.

925. (a) When an officer whose pension is payable in India retires before the necessary enquiries preliminary to the settlement of the amount of his pension can be completed, the Audit Officer may, upon a declaration, as follows, by the officer, sanction the immediate disbursement of the pension to which, after the most careful summary investigation that he can make without delay, he believes the officer likely to be entitled :—

further promise to repay any amount advanced to me in excess of the pension to which I may be eventually found entitled

(b) If the Audit Officer thinks it likely that the officer would be found entitled to a gratuity only, one-sixth of the amount of such probable gratuity may, upon a similar declaration, be disbursed to him monthly until the amount is finally settled

(c) The settlement of such provisional payments should be made so as to admit of their disbursement not later than one month after the officer has ceased to hold his post.

(d) When the sanction under this Article is given by an Audit Officer other than the Accountant-General, he shall send a copy of his order to the

Accountant-General, for the issue of the requisite orders for disbursements from the treasury concerned.

926. *When an officer whose pension is payable in England retires before* the necessary enquiries preliminary to the settlement of the amount of his pension can be completed, the Audit Officer, if he sees reason to believe that there will be delay before the pension can be finally sanctioned, should, after the most careful summary investigation that he can make without delay, report to the authority who will sanction the pension, the minimum amount to which he believes the officer to be entitled. This report should be forwarded at once to the India Office by the Local Government by which the pension will in due course be sanctioned. The India Office will then, on receiving from the officer a declaration similar to that in Article 925, at discretion, sanction the immediate disbursement of the amount of pension reported to be the minimum likely to be admissible, or such smaller amount as may be deemed proper. The final pension certificate in due form should follow the provisional certificate with the least possible delay.

927. (*a*) If, upon the completion of the regular investigation, it be found that the pension thus summarily assigned differs from the pension finally settled, the difference must be adjusted in the first subsequent payments.

(*b*) Provided that, if a gratuity summarily assigned under Article 925 proves to be larger than the amount found actually due upon completion of the enquiries, the officer shall not be required to refund any excess actually paid to him, except as provided in Chapter XXI.

928. (*a*) To enable the Audit Officer to exercise the jurisdiction thus entrusted to him, the head of the office or department from which the officer is removed should furnish to the Audit Officer, as soon as possible, after it becomes known to him that the officer must retire, and without waiting for his actual retirement, the fullest information that can be obtained regarding the officer's service, without correspondence which must cause delay

(*b*) This information is to be furnished in anticipation of the regular investigation required by Article 908 or 909, *which also should on no account* be delayed until the officer has actually retired.

929. All officers should bear in mind that delay in the payment of pensions may involve peculiar hardship, and everything should be done to prevent, or shorten to the utmost, such delays.

Chapter XLVIII.—Payment of Pensions.

SECTION I.—GENERAL RULES.

930. Apart from special orders, a pension, other than a Wound or Extraordinary pension under Part VI, is payable from the date on which

the pensioner ceased to be borne on the establishment, or from the date of his application, whichever is later. The object of this latter alternative is to prevent unnecessary delay in the submission of applications. The rule may be relaxed, in this particular, by the authority sanctioning the pension when the delay is sufficiently explained.

1. The pension of an officer who, under Article 436, has received a gratuity in lieu of notice, is not payable for the period in respect of which the gratuity is paid.

931. The preceding Article applies to ordinary, not to special, cases. If, under special circumstances, a pension is granted long after an officer has retired, retrospective effect should not be given to it without the special orders of the Government which granted it; in the absence of special orders such a pension takes effect only from the date of sanction.

932. In cases where considerable delay has occurred in making application for a Wound or Injury pension, it will be granted only from the date of the report by the Medical Board, and no application for a gratuity or pension will be entertained unless submitted within five years of the date of the wound or injury.

933. When a pension is stated in Rupees, it is payable at any treasury in India; or, at the pensioner's option, at the Home treasury.

934. Pensions granted in rupees which are drawn at or through the Home treasury are converted into sterling at the rate of exchange from time to time fixed for the adjustment of transactions between the British and Indian Governments subject to the condition that in the case of persons resident in any country in which the Indian Government rupee is not legal tender, 1*s*. 9*d*. the rupee is fixed as the minimum rate at which the conversion into sterling shall be effected. The same rate of exchange applies to the issue of gratuities to persons residing in any country in which the rupee is not legal tender; but when the service of an officer to whom a gratuity is granted terminates in India, the gratuity should be paid in India

NOTE 1.—[Ordinarily a pens [illegible]

NOTE 2.—[A pensioner who has been drawing his pension at the minimum rate of 1*s* 9*d*. the rupee, if he proceeds to a country in which the rupee is legal tender and continues to draw his pension from the Home treasury, is allowed the benefit of that minimum rate for six months from the date of his arrival in such country]

NOTE 3.—[In the event of a case arising which appears not to be covered by the foregoing rules, reference must be made to the Secretary of State.]

935. The rule in Article 934 applies to an officer under covenant who is entitled by his covenant to pension; the covenanted rate of exchange for his pay and allowances does not, unless it is expressly so stated, apply to his pension.

Transfers between England and India.

936. Transfer of a pension from an Indian treasury to the Home treasury and *vice versâ* is permitted within reasonable limits whenever desired.

NOTE.—[Frequent transfers of a pension to and from are not permissible, and the Accountant-General concerned should report to the Government of India, for special orders, any case in which it appears to him that undue advantage is being taken of the rule.]

937. Application for transfer of payment from India to the Home treasury should be made to the Accountant-General within whose jurisdiction the treasury of payment is, who will grant a last-pay certificate, forwarding a duplicate, with copy of the first page of the application upon which the pension was originally granted, to the India Office.

SECTION II.—PAYMENT IN INDIA.

938. (*a*) The order granting a pension to be paid in India should be forwarded with a copy of the first page of the application in Form 25 or 26, [illegible] 2, to the Audit Officer who submitted [illegible] the order with his report and then [illegible] ant-General of the province in which payment is to be made.

(*b*) In the case of persons for whom the forms referred to in clause (*a*) are not used, the information required for the Pension Payment Order should be communicated in a separate letter to the Accountant-General of the province where payment is to be made.

(*c*) In the case of pensions to police officers on pay not exceeding Rs. 20 sanctioned under entry No. 40 of Appendix I, Part II, the order should be forwarded to the audit officer who would have reported on the claim had his certificate not been dispensed with. He will exercise the necessary check with reference to Article 922 and endorse it as in clause (*a*) above.

939. The Accountant-General of the province in which payment is to be made will then communicate to the officer who is to pay the pension, authority to make the payment; in the case of a pension, such authority will be a Pension Payment Order in Form 27 or 28.

[illegible] used for pensions chargeable to Local Funds other than [illegible]

"I am directed to say that if a Native State desires a periodical payment to be made from [illegible]

Native State [illegible]

PART X.

"When such payments on account of pensions are arranged for, the form of payment order should not be the same as that used for pensions payable from Indian Revenues. The order should be of the same kind as the ordinary Pension Payment Order, but should be clearly distinguished in form."]

Procedure in paying.

940. A gratuity is paid in a single sum, and not by instalments, on receipt of the Accountant-General's authority.

941. A gratuity may, at the discretion of the Government of India, or with the sanction of the Government of India, on the application of the recipient, be converted either into a life annuity, or into a temporary life annuity, or into an annuity payable for a fixed number of years with remainder to the annuitant's heirs in case of his death. The amount of the life

Page 261. Article 942.

Insert the words "or a Local Government" *after* ...ment of India" *in this Article.*

(5th Edition—Reprint, No. 142, dated 14-8-16)

...wing ... nt of ... by it

(5th Edition—Reprint, No 142, dated 14-8-16)

... of the disbursing officer's half of the Pension Payment Order, both entries being attested at the time of payment by the signature of the disbursing officer.

3. With reference to Articles 956 and 957, a pension should, under no circumstances, be paid for the first time in arrears for more than one year without special orders of the Local Government.

NOTE. [The Local Government may delegate its powers under this rule to Commissioners ...

money due, or to become due, on account of any such pension or allowance, shall be liable to seizure, attachment or sequestration by process of any Court in British India at the instance of a creditor, for any demand against the pensioner, or in satisfaction of a decree or order of any such Court"

Identification of Pensioner.

944. As a rule a pensioner must take payment in person after identification by comparison with the Pension Payment Order

NOTE.—[Officers of the classes mentioned in Articles 907 ...

945. A pensioner specially exempted by the Local Government from personal appearance, a female pensioner not accustomed to appear in public, or a male pensioner who is unable to appear in consequence of bodily illness or infirmity, may receive his or her pension upon the production of a life

certificate signed by a responsible officer of Government or by some other well-known and trustworthy person.

NOTE.—[The power to grant exemption under this Article from personal appea draw pension may be delegated by a Local Government to any officer of not lower r Collector of a District.]

946. A pensioner of any description who produces a life certificate by some person exercising the powers of a Magistrate under the C Procedure Code, or by any Registrar or Sub-Registrar under the R tion Act, or by any pensioned officer who, before retirement exerci powers of a Magistrate, or by a Chaplain, or any gazetted officer of G ment or ~~any person holding a~~ Government title, is also exempted from p appearance.

947. (*a*) In all cases referred to in Articles 945 and 946, the disbursing officer must take precautions to prevent impositions, and must, at least once a year, require proof independent of that furnished by the life certificate of the continued existence of the pensioner.

(*b*) For this purpose he should (save in cases of exemption from personal appearance granted by the Local Government) require the personal attendance and due identification of all male pensioners who are not incapacitated by bodily illness or infirmity from so attending, and in all cases where such inability may be alleged, he should require proof thereof in addition to the proof submitted of the pensioner's existence.

1. The disbursing officer is personally responsible for any payment wrongly made. In case of doubt, he should consult the Accountant-General.

2. A pensioner of rank may be privately identified by the disbursing officer and need not be required to appear at a public office.

948. Payment of pensions to Police pensioners are made in accordance with the rules in this Section, but if the disbursing officer entertains any doubt as to the identity of such a pensioner, he may require the local Inspector of Police to identify him. The Inspector would then be responsible for the correct identification of the pensioner.

Payment to Agents.

949. (*a*) A pensioner not resident in India may draw his pension at any treasury in India through a duly authorised agent, who must either produce a certificate by a Magistrate, a Notary, a Banker, or a Minister of religion, on each occasion, that the pensioner was alive on the date to which his pension is claimed, or execute a bond to refund over-payments, and produce such a certificate as aforesaid at least once a year.

(*b*) The pension of such an officer should not be paid on account of more than a year after the date of the life certificate last received, and the Accountant-General should be on the watch for authentic information of the decease of any such pensioner, and on receipt thereof, should promptly forbid further payments.

Page 263. Article 950.

Substitute for the " Commissioners of Divisions or to any higher executive authority " ... not lower than that of the Collector or oth

(5th Edition—Reprint, No. 141, dated 14-8-16)

... (a) A copy of any order issued by a Local Government or other executive authority under the preceding Article, should be forwarded to the Accountant-General, and the Collector of the district from which the payment is to be transferred should be instructed to return his half of the Pension Payment Order.

(b) The Accountant-General will then either issue a new payment order, or enface the payment order for payment at the new treasury, and forward it to the Treasury Officer, who will, in future, pay the pension, or, if the treasury is in another province, will move the Accountant-General ...

Page 263. Article 952.

Substitute the words " A Treasury Officer " *for the words* " A Collector or other District officer " *in this Article.*

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Certificate of Non-Employment.

953. (a) A pensioner drawing pension in India is required to append to his bill a certificate as follows :—

" I declare that I have not received any remuneration for serving in any capacity, either under Government or under a Local Fund, during the period for which the amount of pension claimed in this bill is due."

(b) In the case of a pensioner permitted under Chapter XXI to draw pension after re-employment, this certificate should be modified according to the facts.

Renewal of Pension Payment Order.

954. When the reverse of a Pension Payment Order is filled up, or when the pensioner's half is found to be worn or torn, both halves may be renewed by the Treasury Officer

955. If a pensioner loses his half of the Pension Payment Order, a new order may be issued by the Treasury Officer, who should see that no payment is made on the half alleged to be lost by a strict observance of Rule 2 under Article 943. The necessary note should be made in the remarks column of the register in Form 39, Civil Account Code.

Lapses and forfeiture.

956. If a pension payable in India remains undrawn for more than one year, the Pension Payment Order must be returned to the ... General, and the pension ceases to be payable.

PART

957. If the pensioner afterwards appears, the disbursing officer reclaim the Pension Payment Order and renew his payments ; but the ar cannot be paid without the order of the Accountant-General, and if pension in arrears is to be paid for the first time, or if the amount of ar exceeds Rs. 1,000, without the previous sanction of the Local Governr obtained through the Accountant-General.

[illegible]

Government in whose jurisdiction the paying treasury may happen to be situated.]

958. If the suspension of payment is attributable to error or negl by any public officer, the Accountant-General may direct payment of arrears without taking the orders of the Government.

Deceased Pensioners.

959. (*a*) On the death of a pensioner, payment of any arrears actuall due may be made to his heirs, provided that they apply within one yea from his death : it cannot be paid thereafter without the sanction of the Local Government.

NOTE.—[The Local Government may delegate its powers under this Article to Commissioners of Divisions, or to such other officers as it may desire.]

(*b*) But if the arrears do not exceed Rs. 100, and the case presents no peculiar features, the Accountant-General is empowered to pass the arrears on his own authority.

(*c*) After payment of the arrears of pension, the Pension Payment Order should be returned to the Accountant-General with a report of the date of the death of the pensioner.

960. Subject to the provisions of the preceding Article, the arrears of pension of a deceased pensioner may be paid to the heirs of the deceased without the production of the usual legal authority, to the extent of Rs. 500 under the orders of the Collector, or other officer responsible for the payment, after such enquiry into the rights and title of the claimants as may be deemed sufficient. Any excess above Rs 500 may similarly be paid under the orders of the Local Government on execution of an indemnity bond, with such sureties as it may require, if it is satisfied of the right and title of the claimant and considers that undue delay and hardship would be caused by insisting on the production of letters of administration.

In any case of doubt, payment should be made only to the person producing legal authority.

961. If an officer dies before actually retiring or being discharged, his heirs have no claim to anything in respect to his pension.

SECTION III.—PAYMENT IN ENGLAND.

962. When a pension is granted to an officer who desires that payment thereof from the date of its commencement should be made at the Home

SECTION IV.—PAYMENT IN A COLONY.

966. The rules in this Section apply to pensions granted under the rules in any Chapter of these Regulations. The pension of a pensioner residing in any Colony named in Appendix 15 may be paid there.

Issue of Warrant.

967. The authority for payment for a pension in a Colony shall be a Warrant in Form 29 to be issued—

(i) in the case of a pension granted to an officer serving elsewhere than under the Government of Madras or Bombay, or paid from an Indian treasury not in account with the Accountant-General, Madras or Bombay;—by the Comptroller, India Treasuries.

(ii) in the case of a pension granted to an officer serving under the Government of Madras or Bombay or paid at any treasury in account with the Accountant-General, Madras or Bombay;—by the Accountant-General, Madras or Bombay, as the case may be.

968. When a pension is first granted to an officer serving otherwise than under the Government of Madras or Bombay, and the pensioner desires that it shall be paid in a Colony, or when transfer of payment of a pension heretofore paid at some Indian treasury not in account with the Accountant-General, Madras or Bombay, from India to a Colony is desired, the Accountant-General shall furnish all particulars to the Comptroller, India Treasuries, who will issue the necessary warrant.

969. When a pension is first granted to an officer serving under the Government of Madras or Bombay, and the officer desires that it shall be paid in a Colony, or, if transfer of payment of a pension hitherto paid at some treasury in account with the Accountant-General, Madras or Bombay, from India to a Colony is desired, the Accountant-General, Madras or Bombay, as the case may be, will issue the necessary warrant.

970. Every warrant shall be issued in triplicate. The original, bearing the payee's signature, should be forwarded to the Colonial authority concerned, the duplicate to the Secretary of State, and the triplicate should be made over to the payee. Each payment should be endorsed on the back of both the original and the triplicate warrant, an acknowledgment of receipt of money being rendered by the payee. When no space for such entries remains, or when a warrant is lost or destroyed, a fresh warrant shall be issued by the officer who issued the original warrant on application being made through the Colonial Disbursing Officer. The latter forwarding the duplicate Warrant to the Secretary of State invariably furnish the following information, *viz.* :—

(1) Whether the pensioner is already on leave in the Colony.

(2) Date of his retirement.

(3) Date of leaving India.

(4) Date of birth.

Rate of Exchange.

971. Pensions stated in Indian money shall, in a Colony in which the Indian Government rupee is not legal tender, be paid in sterling money at the rate of exchange annually fixed for the adjustment of transactions between the British and Indian Governments, subject to the condition that 1*s*. 9*d*. the rupee is fixed as the minimum rate at which the conversion into sterling shall be effected. Any payments made at a different rate or otherwise erroneously, should be adjusted in subsequent payments.

NOTE 1.—[The same rate of exchange applies to the issue of gratuities to persons residing in any country in which the rupee is not legal tender; but when the service of an officer to whom a gratuity is granted terminates in India, the gratuity should be paid in India.]

NOTE 2.—[Notes 1 to 3 under Article 934 apply, *mutatis mutandis*, to this Article.]

NOTE 3.—[On warrants issued to persons drawing pensions stated in rupees it should be noted whether payment is subject to the minimum rate of 1*s*. 9*d*. the rupee.]

Transfer of Payment.

972. (*a*) Transfer of a pension from an Indian treasury to a Colony the payments in which are adjusted in the accounts of the Home treasury is permitted only once; but a pensioner can at any time have payment transferred from a Colony to an Indian treasury, or from a Colony the payments in which are adjusted in the accounts of the Home treasury to England for direct payment from the Home treasury.

(*b*) In case a pensioner desires transfer of payment of his pension from one Colony to another, the Government of India will recognise the proceedings

of the Colonial authorities sanctioning such transfer which should, however be reported separately by the pensioner to the Government of India and to the Under-Secretary of State for India.

973. Upon his return to India an officer should deliver up his copy of the warrant, which will serve the purpose of a last-pay certificate.

Chapter XLIX.—Pensions to Members of the Indian Civil Service.

SECTION I.—APPLICATIONS.

Retirement while on duty in India.

974. An officer on the Bengal Establishment who is not borne on the cadre of the Bengal Presidency, and is serving immediately under the Government of India, if he be in India, shall submit his application for permission to resign the Service, and for an annuity, to the Government of India in the Department under [illegible]
cation will forward [illegible]
Department, which [illegible]
suries, upon the officer's claim in respect of service and active service and also as to whether there are any demands against him on account of the deduction prescribed in Article 556, or on any other account

975. An officer on the Madras or Bombay Establishment, or on the Bengal Establishment who is borne on the cadre of the Bengal Presidency, if he be in India, shall submit his application to the Government of Madras, Bombay or Bengal, as the case may be, who will obtain the report of the Accountant-General and the No-demand Certificate as provided in Article 974.

976. Any other officer on the Bengal Establishment, if he be in India, shall submit his application to the Local Government under which he may be serving; and the Local Government will forward the application, with any observations which may be necessary, to the Government of India in the Home Department, together with a No-demand Certificate from the Accountant-General.

1 When preparing the No-demand Certificate, the Accountant General should send the officer a copy of Article 981

Retirement during leave to Europe.

977. (*a*) An officer, who wishes to retire from the Service while on leave in Europe, must submit his application to the Secretary of State

(*b*) When an officer makes his application under this Article, whether [illegible]

Government of Madras, the Government of Bombay or the Government of

Bengal, as the case may be, for the annuity or gratuity to which his length of service may entitle him.

Grant of Pension.

978. (*a*) In the case of an officer on the Bengal Establishment who is not borne upon the cadre of the Bengal Presidency, if his resignation be accepted, the case should be forwarded to the *Finance Department of the* Government of India, in which Department the annuity or gratuity to which the officer is entitled will be sanctioned.

(*b*) The copy of the sanctioning order forwarded to the officer will be his authority for drawing his annuity or gratuity.

(*c*) In the case of an officer on the Madras or Bombay Establishment, or on the Bengal Establishment if borne upon the cadre of the Bengal Presidency, the annuity or gratuity will be sanctioned by the Government of Madras, Bombay or Bengal, as the case may be.

SECTION II.—PAYMENT.

979. The annuity of an officer who leaves India by sea, when retiring from the Service at the end of subsidiary leave, begins, and his subsidiary leave ends, on the day of the departure of the vessel in which he sails.

cadres :—

1. Name of officer.
2. Date on which he made over charge of his office.
3. The amount of subsidiary leave granted, if any.
4. Date up to (and including) which subsidiary leave allowances have been drawn.
5. What demands, if any, are outstanding against the officer.]

980. The annuity of a Member of Council who has not previously resigned his seat in Council, or whose successor has not entered upon his office, commences from the day following that on which the vessel in which he leaves India sails, or from the expiry of his five years' tenure of office, whichever date is earlier.

981. An officer on resigning the Service must report the place at which the payment of his annuity is desired, and if he is leaving India, the date of the departure of the vessel in
Government of India in the
borne on the cadre of the M
Government of Madras, Bo
Bombay or Bengal cadres.

... General to every officer ... in the ... ired and

Substitute the following for these articles :—

988. Application may be made to, and pensions are granted by, the Government of India, local Governments or by the Secretary of State as the case may be.

NOTE.—[A Chaplain who proceeds to Europe on leave should give four months' notice if he decides to retire without returning to India]

1. At least six months before a Chaplain, whether of the Church of England or the Church of Scotland, completes his full period of service, a statement should be furnished by the local Government concerned to the Government of India in the Department of Education for transmission to the Secretary of State, showing the date on which the Chaplain completes such service, whether he is in England or in India It should also be stated whether he is in duty or on leave, and, if the latter, for what period.

989. A Chaplain proceeding to England on retirement, without applying for pension, should procure a certificate in Form 30—

(i) From the Accountant General of the Province in which he is serving or has last served.

(ii) In the case of the Archdeacon of Calcutta or the Presidency Senior Chaplain, Church of Scotland, Bengal, from the Comptroller, India Treasuries.

990. A Chaplain who wishes to obtain pension from the authorities in India must, if he belongs to the Church of England, submit his application through the Archdeacon or Bishop of his Diocese, or if he belongs to the Church of Scotland through the Presidency Senior Chaplain, to the local Government under which he is serving or has last served.

The Archdeacon of Calcutta or the Presidency Senior Chaplain, Church of Scotland, Bengal, will submit his application to the Government of India in the Department of Education.

991. *Cancel this Article.*

992. The Department of Education or the local Government [illegible] accepting the resignation of a Chaplain should obtain a certificate [illegible] Comptroller, India Treasuries, or the Accountant General concerned, [illegible] the Chaplain's service, residence and the amount of pension to [illegible] entitled.

993. (*a*) In the case of the Archdeacon of Calcutta and [illegible] Senior Chaplain, Church of Scotland, Bengal, the case should [illegible] to the Finance Department of the Government of India in [illegible] ment the pension to which the Chaplain is entitled will be [illegible]

(*b*) In the case of other Chaplains the pension will be [illegible] local Government concerned.

994. A Chaplain to whom pension has been granted in [illegible] careful before proceeding to England to obtain the usual [illegible] issue of pay or pension to him in India.

(5th Edition—Reprint No. 312, dated-7 7-17.)

No. 137.

Page 269. Article 983.

Substitute the following for the first two lines of clause (*b*) of this Article :—

" Provided that any annuitant who resides in India, whether permanently or temporarily, and wishes to draw his annuity in that country, may exercise the option."

(5th Edition—Reprint, No. 137, dated 10-8-16.)

No. 186.

Page 269. Article 983.

Substitute the following for the Note under clause (a) of this Article :—

NOTE.—[The rates specified in this clause were fixed by Statute 37 Vict. c. 12.]

Omit the word " annually " *in line 3 of clause (b) of this Article.*

(5th Edition—Reprint, No. 186, dated 7-3-17.)

to the Home treasury, it must be distinctly recorded that no further payment on account thereof will be made in India.

986. An officer who resigns the Service while he is in Europe, and who has completed the requisite period of service and residence, and elected to draw his annuity from the Home treasury, can obtain advances from the Secretary of State for India, pending receipt of the authorities referred to in Article 978.

987. Payment of annuities may be made in any Colony named in Appendex 15 in accordance with the procedure laid down in Articles 966 to 973.

Chapter L.—Pensions to Chaplains.

988. Applications may be made to, and pensions are granted either by the Government of India, the Government of Bombay, or the Government of Madras (as the case may be), or by the Secretary of State.

NOTE.—[A Chaplain who proceeds to Europe on leave should give the Secretary of State at least four months' notice, if he decides to retire without returning to India.]

... on leave, and, if the latter, for what period.

PAR

989. A Chaplain proceeding to England on retirement, without applying for pension, should procure a certificate in Form 30—

(i) If he is a Chaplain on the Bengal Establishment, or a Chaplain of the Church of Scotland serving in the Bengal Presidency;—*from the Comptroller, India Treasuries*;

(ii) If he is a Chaplain on the Bombay or the Madras Establishment or a Chaplain of the Church of Scotland serving in Madras or Bombay;—*from the Accountant-General at Bombay or Madras* (as the case may be).

990. A Chaplain of the Church of England, who wishes to obtain pension from the authorities in India, must submit his application, through the Archdeacon or Bishop of his Diocese, to the Government of India in the Department of Education if he belongs to the Bengal Ecclesiastical Establishment, and to the Local Government if he belongs to the Madras or Bombay Ecclesiastical Establishment.

991. A Chaplain of the Church of Scotland, who wishes to obtain pension from the authorities in India, must submit his application, through the Presidency Senior Chaplain, if he is not himself the Presidency Senior Chaplain, to the Government of India in the Department of Education if he is serving in the Bengal Presidency, and to the Local Government if he is serving in Madras or Bombay.

992. The Department of Education, or the Government of Madras or Bombay, before accepting the resignation of a Chaplain, should obtain a certificate from the Comptroller, India Treasuries, or the Accountant-General, Madras or Bombay, as the case may be, showing the Chaplain's service, residence, and the amount of pension to which he is entitled.

993. (*a*) In the case of the Bengal Presidency, if the Chaplain's resignation is accepted, the case should be forwarded to the Finance Department of the Government of India, in which Department the pension to which the Chaplain is entitled will be sanctioned.

(*b*) In the case of the Madras or Bombay Presidency, the procedure is the same, but the pension is sanctioned by the Government of Madras or Bombay, as the case may be.

994. A Chaplain to whom pension has been granted in India should be careful before proceeding to England to obtain the usual certificate of the last issue of pay or pension to him in India.

Part XI.—REGULATIONS RELATING TO TRAVELLING ALLOWANCES.

GENERAL ARRANGEMENT.

PART XI.—REGULATIONS RELATING TO TRAVELLING ALLOWANCES.

Chapter LI.—Definitions and General Rules.

SECTION I.—PRINCIPLES OF CALCULATION.

995. Travelling allowance is given to an officer to cover the actual travelling expenses incurred by him in travelling in the interests of the public service. It is a fundamental principle that the allowance is not to be a source of profit, and, save as specially provided in these Regulations, no allowances are granted to meet the expenses of the families of officers accompanying them when travelling on duty.

Route for calculation of Travelling Allowance.

996. (*a*) For the purpose of calculating travelling allowance, a journey between two stations is held to be performed by the shortest of two or more practicable routes, or by the cheapest of such routes as may be equally short.

NOTE.—[Where there are alternative railway routes, and the difference between them in point of time and cost is not great, travelling allowance should be allowed for the route actually used.]

(*b*) The shortest route is that by which the traveller can most speedily reach his destination by the ordinary modes of travelling. In case of doubt the Head of the Department concerned will, in respect of journeys within his jurisdiction performed by officers under his control, declare which shall be regarded as the shortest of two or more routes.

(*c*) If an officer travels by a route which is not the shortest, but which is cheaper than the shortest, his travelling allowance is calculated by the route by which he makes the journey.

997. The Local Government, or the Head of the Department in the case of journeys within his jurisdiction performed by officers under his control, for special recorded reasons, may permit travelling allowance to be calculated by a route other than the shortest or cheapest, provided that the journey is actually performed by such route.

NOTE.—[In the case of journeys between stations which are in the jurisdiction of different Local Governments, Heads of Departments under whose orders transfers are made from one Province to another may exercise the powers of a Local Government under Articles 996 and 997.]

998. The point in any station from which a journey is held to commence, or at which it is held to end, is the chief public office or any other point fixed for the purpose by the Local Government.

NOTE.—[See Note under Article 1065 (iii) (1).]

' When means of locomotion are supplied.

999. (1) An officer who is provided with and avails himself of the means of locomotion at the expense of the State or of Local Funds, either—

(*i*) may draw half the travelling allowance ordinarily admissible to him for a journey of the same kind, or

(*ii*) is subject to the deduction from his travelling allowance of such fixed hire or charge as the Local Government or the Head of an Imperial Department in respect of journeys within his jurisdiction performed by officers appointed by him and under his control, may by any general rules determine.

Note.—[The case of an officer who is supplied with a boat or carriage, but who pays all expenses of its use or propulsion, does not fall within clause (*i*) of this Article: in such cases a fixed hire under clause (*ii*) may be charged.]

(2) This Article does not apply to—

(*a*) Officers of the fourth class.

(*b*) (*i*) Gazetted Officers and Rangers of the Forest Department serving in the Sunderbans Division.

(*ii*) Certain officers and their establishments in Aden and in Persia and the Persian Gulf as detailed in the Manuals of the Audit officers concerned.

} Are entitled to half the daily allowance ordinarily admissible.

(*c*) When travelling by steamer supplied at the expense of the State—

(*i*) The Executive Engineer, Eastern Nara, and his establishments.

(*ii*) The establishment accompanying the Commissioner in Sind, the Deputy Commissioner, Upper Sind Frontier, and the Superintending Engineer, Sind.

} Provided a certificate is furnished by the officer concerned that complete camp equipage was maintained throughout the period occupied by the journey.

(*iii*) Officers and subordinates of the Irrigation Department in Sind. These officers draw ordinary travelling allowances subject to the following conditions, namely,—

(1) that the officer concerned, or, if he be of lower rank than an Executive Engineer, the Executive Engineer, certifies that complete camp equipage was maintained throughout the journey, and

(2) that mileage allowance cannot be drawn in lieu of daily allowance for journeys over twenty miles by steamer or partly by steamer and partly by road, unless the portion of the journey performed by road exceeds twenty miles, when mileage should be calculated on the road journey only.

Pages 274-276. Article 999.

Substitute the following for this Article :—

999. (1) An officer who is provided with and avails himself of means of locomotion at the expense of Government, a local fund or a Native State, and does not pay the expenses of its use or propulsion, draws travelling allowance as follows :—

(a) If he has not to provide separate conveyance at his own expense for his servants or luggage, he draws the daily allowance ordinarily admissible to him and is not entitled to exchange the daily rate for mileage under Article 1065. But if part of the journey is performed by other means of locomotion he may at his option draw in lieu of daily allowance the travelling allowance admissible for that part.

(b) *If he has to provide separate conveyance at his own expense for* his servants or luggage, he may, under Article 1065, exchange his daily allowance for half the mileage ordinarily admissible to him and may draw in addition the travelling allowance admissible for any part of the journey performed by other means of locomotion.

NOTE.—Chauffeurs of motor cars supplied by Government (either under the rules promulgated in the resolution of the 15th July 1912 or otherwise) or by a local fund, when performing road journeys on motor cars in their charge draw travelling allowance as above only if the journey involves an absence of at least one night from headquarters. Otherwise they are not entitled to any travelling allowance for such journeys.

(2) An officer provided with the means of locomotion as in clause (1) who pays all expenses of its use or propulsion is entitled to travelling allowance under the ordinary rules, subject to the deduction therefrom of such fixed hire or charge as the local Government, or the Head of an Imperial Department in respect of journeys within his jurisdiction performed by officers *appointed by him and under his control, may fix.*

(3) Table money under Article 1023 is granted to officers of all but the first class in Burma travelling by Government steam launch on transfer, in addition to any allowance admissible under this Article.

999 A. The above Article does not apply to—

(a) Officers using motor cars supplied at the public expense under the rules promulgated in the Resolution ...

(d) When travelling by boat supplied at the expense of the State—

(i) The Commissioner of Customs, Salt, Opium and Abkari, Bombay

(ii) The Collector or Assistant Collectors of Salt Revenue in Bombay

(e) The Commissioner in the Sunderbans and his establishment when on tour in the Sunderbans.

(f) Officers who are entitled to or are allowed free transit by railway whether under a free pass (see Appendix 30) or otherwise.

(g) Officers who are provided with elephants required for the conduct of professional operations and not for their private use.

(h) Officers using motor-cars supplied at the public expense under the rules promulgated in the Resolution in the Finance Department No. 250-E A., dated the 15th July 1912. The travelling allowance of such an officer is regulated by the ordinary rules, subject to the following conditions :—

(1) If he travels more than twenty miles by the motor-car in a day, he will draw for the first twenty miles the mileage allowance ordinarily admissible under these Regulations and for the remainder three-fourths of the mileage allowance so admissible ;

(2) If a journey by the motor-car is combined with a road journey by ordinary conveyance, the officer will draw the mileage allowance ordinarily admissible for the first twenty miles or for the portion of the journey performed by ordinary conveyance, whichever is greater, and for the remainder three-fourths of the mileage allowance so admissible ;

(3) If a journey by motor-car, motor-boat, motor-cycle or steamer provided by Government or a Local Fund, is combined with a road journey by ordinary conveyance, the officer so travelling may at his option draw either (1) the full daily allowance admissible under Article 1063 ; or (2) if the journey by ordinary conveyance exceeds 20 miles, the mileage allowance admissible under Articles 1034-1037. No extra allowance will in either case be drawn on account of the journey by motor-car, motor-boat, motor-cycle or steamer as the case may be.

(i) Officers using motor-cars supplied by Government otherwise than under the rules promulgated in the above Resolution or by a Local Fund, or motor-boats or motor-cycles supplied by Government or a Local Fund Such an officer may draw half the daily allowance ordinarily admissible, and is not entitled to exchange the daily rate for mileage under Article 1065 ; provided that if a journey by motor-car, motor-boat or motor-cycle is combined with a road journey by ordinary conveyance,

the officer so travelling may at his option draw either (1) the full daily allowance admissible under Article 1063; or (2) if the journey by ordinary conveyance exceeds 20 miles, the mileage allowance admissible under Articles 1031—1037. No extra allowance will in either case be drawn on account of the journey by motor-car, motor-boat or motor-cycle as the case may be.

NOTE.—[In the case of officers who draw fixed travelling allowance, a deduction of Rs. 3 shall be made for every day on which they travel in motor-cars or motor-boats.]

(j) Officers of the Salt Departments in Bengal and Bihar and Orissa when travelling by steamers or boats provided by Government. These officers draw daily allowance at ordinary rates, not subject to increase under Article 1140, but no mileage.

(k) Chauffeurs of motor-cars supplied by Government (either under the rules promulgated in the Resolution of the 15th July 1912 or otherwise) or by a Local Fund, when performing road journeys on motor-cars in their charge and involving an absence of not less than one night from head-quarters. In such cases, they will draw half the daily allowance ordinarily admissible to officers of their class (Articles 1002 and 1063), subject to a minimum of 6 annas in the Bombay Presidency and 4 annas elsewhere. The daily allowance is not exchangeable for mileage under Article 1065.

3. Table-money under Article 1023 is granted to officers of all but the first class in Burma travelling by Government steam launch on transfer, in addition to any allowance admissible under this Article.

Camp Equipment and Horses.

1000. When the Local Government is satisfied that it is in the interests of the public service that an officer required to tour should send his horses, camels, motor-cars, motor-cycles, bicycles or camp equipment by railway or steamer or by country craft when no steamer service exists or is capable of conveying the goods or animal [illegible] heaper or more expeditious, it may, [illegible] to recover, in addition to his authc [illegible] ·ost of their carriage including, whether separately charged for or not, the cost of conveyance of one syce and one grass-cutter for each horse and a chauffeur or cleaner for a motor-car.

NOTE.—[An officer in receipt of a permanent monthly travelling allowance is not entitled to the privilege of this Article.]

1001. The Local Government may prescribe such limitation as it thinks fit regarding the maximum weight of camp equipment and number of horses to be carried by an officer of any class or department, and may, subject to such limitations, delegate its power of sanction under Article 1000 to any head of a department or controlling or inspecting officer.

No. 49.

Page 277. Article 1002.

No. 196.

Page 277. Article 1002.

Insert the words " Probationary Assistant Superintendents o the Northern India Salt Revenue Department " *after the word* " Post Office " *in line 8 of clause* " Second " *under this Article.*

(5th Edition—Reprint, No. 196, dated 11-4-17).

(5th Edition—Reprint, No 161, dated 2-11-16)

more than Rs. 10 a month.

Fourth.—The fourth class includes all officers in inferior service.

(a) Of rank higher than constable, everywhere.
(b) Of the rank of constable in the Aden and Makhi Dhand Police.
(c) Mounted constables in Sind.]

NOTE 4.—[Forest Guards are held to be officers of the fourth class even in cases where their service is specified as superior]

1003. Honorary Magistrates, who are not officials of Government, may, when employed on Government work under the orders of the District Magistrate or Sub-divisional Officer at a distance exceeding five miles from their residence, or when the bench which they attend is situated at a similar distance from their homes, draw for journeys by rail double second class fare, and for journeys by road four annas a mile. They may also draw, under the usual

1004. The Local Government may grant travelling allowance under these Regulations to any person, who is not a Government official and who may be required to attend any meeting of a Commission of Enquiry or of a

Board, Conference, Committee or departmental enquiry, convened under (or with reference to) its orders to transact or advise upon matters of public business or to conduct examinations held under its authority, or who may be required to perform any public duties in an honorary capacity; and may for this purpose declare, by general or special order, to what class such a person belongs and to what daily allowance he is entitled, subject to the condition that the ordinary daily allowances for officers of the first and second classes, respectively, shall not exceed Rs. 5 and Rs. 3. It may also, at its discretion, grant such a person, in lieu of travelling allowances under these Regulations, the travelling, hotel and carriage expenses actually incurred by him.

NOTE 1 —[The grant of travelling allowance under the Regulations is desirable, as far as possible, in all cases falling under this Article, as it avoids correspondence and tends to facility of audit.]

NOTE 2 —[The Local Government may delegate its powers under this Article to the Head of the Department concerned, or to the Government officer presiding over the meeting of the Commission, etc.]

1005. The Local Government may declare to what class an officer, whose whole time is not retained for the public service, or who is paid partly or wholly by fees, belongs, and to what daily allowance such an officer is entitled: provided that the ordinary maximum daily allowances for officers of the first and second classes, respectively, are Rs. 5 and Rs 3.

1006. An officer on special duty belongs, in the absence of a special order of the Local Government to the contrary, to the class to which he belonged immediately before he was placed on such duty.

1007. An officer during transfer from an appointment in one class to an appointment in another class belongs to the class to which he would belong if holding the lower of the two appointments.

Temporary Employés.

1008. A person employed temporarily, by competent authority, is entitled to travelling allowances under the rules applicable to officers of corresponding rank with permanent appointments.

Combination of Appointments.

1009. An officer holding, either temporarily or permanently, two separ- [illegible]

beyond what he would have incurred if holding only one.

1010. An officer placed in charge of the current duties of an office is not entitled to the travelling allowance attached to the office, except under the special order of the authority empowered to give such charge and in the following cases:—

(a) An Assistant or a Deputy Superintendent of Police placed in charge of the office of a District Superintendent may draw the travelling allowance

of a District Superintendent, and an Inspector placed in charge of the office of a District Superintendent, Assistant Superintendent or Deputy Superintendent may draw the travelling allowance of a Deputy Superintendent.

(b) An officer in the Survey of India, whatever his substantive rank may be, draws when in charge of a Survey Party, the travelling allowance of a Deputy Superintendent.

(c) A certain number of upper subordinates in the Buildings and Roads and Irrigatic ... ab, the United Provinces, Bihar and O ... ale sanctioned from time to time by ... Works Department, when placed in charge of districts or sub-divisions, are allowed travelling allowance at the rates admissible to Assistant Engineers, or Sub-Engineers, as may be ordered by the Local Government. Lower subordinates of the United Provinces, Buildings and Roads Branch, when similarly placed in charge of districts or sub-divisions, within the scale referred to above, draw travelling

No. 221.

Pages 279 and 280. Article 1011.

Substitute the following for this Article:—

1011. Officers travelling by railway on duty are entitled to class accommodation according to the following scale:—

(a) *Officers of the first class.*—Highest class accommodation (by whatever name called) provided on the line by which the officer is required to travel.

(b) *Officers of the second class.*—Second or, where on the line by which the officer is required to travel second class accommodation is not provided on any of the trains, first class.

(c) *Officers of the third class.*—Intermediate class, or if on the line by which the officer is required to travel no "intermediate" class accommodation ...

... er class;

... class, if the officer's pay or maximum pay is not less than Rs. 50; otherwise, third class.

(d) *Officers of the fourth class.*—Lowest class whether called lower, third, or fourth.

NOTE 1.—On the D[illegible] ...

... Presidency, the Assistant Port ... r reaches of the Irrawaddy and ... Baroda, the headmaster of the ... Superintendents in the Female ... and Poona are entitled to first class accommodation.

(b) Observers and clerks of the Meteorological Department when touring on inspection duty are entitled to ... ly travel by that class on

... ss, permanent or tem

Board, Conference, Committee or departmental enquiry, convened under (or with reference to) its orders to transact or advise upon matters of public business or to conduct examinations held under its authority, or who may be required to perform any public duties in an honorary capacity; and may for this purpose declare, by general or special order, to what class such a person belongs and to what daily allowance he is entitled, subject to the condition that the ordinary daily allowances for officers of the first and second classes, respectively, shall not exceed Rs. 5 and Rs. 3. It may also, at its discretion, grant such a person, in lieu of travelling allowances under these Regulations, the travelling, hotel and carriage expenses actually incurred by him

NOTE 1.—[The grant of travelling allowance under the Regulations is desirable, as far as possible, in all cases falling under this Article, as it avoids correspondence and tends to facility of audit.]

NOTE 2.—[The Local Government may delegate its powers under this Article to the Head of the Department concerned, or to the Government officer presiding over the meeting of the

of a District Superintendent, and an Inspector placed in charge of the office of a District Superintendent, Assistant Superintendent or Deputy Superintendent may draw the travelling allowance of a Deputy Superintendent.

(b) An officer in the Survey of India, whatever his substantive rank may be, draws when in charge of a Survey Party, the travelling allowance of a Deputy Superintendent

(c) A certain number of upper subordinates in the Buildings and Roads and Irrigation Branches, *respectively, of the Punjab, the United Provinces,* Bihar and Orissa and Bengal, according to a scale sanctioned from time to time by the Government of India in the Public Works Department, when placed in charge of districts or [illegible] allowance at the rates admissible to Assis[illegible] as may be ordered by the Local Gover[illegible] he United Provinces, Buildings and Roads Branch, when similarly placed in charge of districts or sub-divisions, within the scale referred to above, draw travelling allowance at similar rates. Subordinates and Inspectors of Maintenance of the North-Western and Oudh and Rohilkhand Railways, when placed in charge of sub-divisions or sub-districts, also draw travelling allowance at the rates admissible to Assistant Engineers.

(d) A lower subordinate placed in charge of a properly constituted subdivision in Bengal, in Bihar and Orissa or in Burma may be granted the same travelling allowances as an upper subordinate when the necessity for such an arrangement arises in consequence of the paucity or absence of upper subordinates.

1 The Local Government may delegate its power under this Article to the Head of a Department or Commissioner of a Division.

Chapter LII.—Mileage Allowances.

[illegible]

SECTION I.—TRAVELLING BY RAILWAY.

1011. Officers travelling by railway on duty are entitled to class [illegible]

to travel.

(b) *Officers of the Second Class.*—Second, or, where on the line by which the officer is required to travel only two classes of accommodation are ordi-[illegible] ss.

[illegible] s, or if on the line by [illegible] " class accommodation is ordinarily provided then—

(i) where there are only two classes, — lower class;

(ii) where there are three classes,—second class, if the officer's pay or maximum pay is not less than *Rs. 50*; otherwise, third class.

(d) *Officers of the Fourth Class.*—Lowest class, whether called lower, third or fourth.

NOTE.—On the Darjeeling-Himalayan Railway all officers of the third class are entitled only to third class accommodation.

Exceptions.—(a) Junior Port Officers in the Madras Presidency, the
Rangoon, the Assistant Conser
the Native Assistant to the Re
School, Insein, and the Lady
Dharwar and Hyderabad, and

(b) Observers and clerks ... when touring on inspection duty are entitled to second class accommodation *if they actually* travel by that class on account of their having valuable or delicate instruments with them.

(c) Deputy Inspectors of Schools in Bengal and Bihar and Orissa, permanent or temporary, are allowed 2nd class accommodation.

1012. The allowance admissible to an officer of the first, second, or third class is double the fare of the class in which he is entitled to accommodation, and to an officer of the fourth class *the fare of the lowest class.*

Exception.—The undermentioned Revenue and Forest officers in Madras receive mileage at the following rates when travelling by *railway* with camp equipment, including tents, within their jurisdiction :—

No. 125.

Page 280. *Article 1013.*

Substitute the following for Rule 1 under this Article :—

1. Police Inspectors and *Sub-Inspectors in* Bombay employed exclus[ively] on railways *are not* liable to have their allowances reduced when they u[se a] free pass.

(5th Edition—Reprint, No. 125, dated 6-8-16.)

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1. Police Inspectors and Chief *Constables in* Bombay employed exclusively on railways are not liable to have their allowances reduced when they use a free pass.

1014. When an officer is *entitled to* travel in a higher class at a lower fare, his travelling allowance must be *reduced* by the amount by which the fare of the class in which he travels exceeds the fare actually paid.

Unopened Lines.

1015. (a) An officer of the State Railways or the Telegraph Department travelling on an unopened line of railway by trolly, material train, or engine,

draws, in addition to the actual cost of haulage (if any), the following mileage allowances, *i.e.*—

If an Officer of the first class	. . . . .	1½ annas.
Ditto	second class	9 pies.
Ditto	third or fourth class . . .	3 „

(*b*) This Article is not applicable to officers of the Consulting Engineer's Department, or to officers attached to open lines of railway.

(*c*) An officer cannot draw any other allowance in lieu of, or in addition to, this special allowance, except—

(*i*) when he makes a journey of less than twenty miles partly by trolly and partly by road in which case he can only draw daily allowance, for the whole journey; * and

(*ii*) when he remains absent from head-quarters for a night, in which case he can draw, at his option, either daily allowance, or the allowance admissible under this Article;

(*iii*) when the conditions of Article 1061 (*a*) are satisfied, in which case he may draw also the allowances admissible under that Article.

NOTE.—[The special allowance admissible under this Article is not affected by Article 999.]

SECTION II.—TRAVELLING BY SEA OR RIVER.

1016. An officer when travelling by sea or in a river steamer, is allowed either free accommodation or the amount of passage money actually paid for accommodation, on the undermentioned scale:—

(*a*) *Officer of the First Class.*—First class for himself, and lowest class for two or, if his salary is not less than Rs 1,000, three servants.

(*b*) *Officer of the Second or Third Class.*—Middle or second class for himself and lowest class for one servant.

(*c*) *Officer of the Fourth Class.*—Lowest class.

1017. The preceding Article is subject to the following provisos:—

(*a*) An officer of the second class whose pay is not less than Rs. 200, may elect for any journey to claim accommodation under clause (*a*), in which case he will also come under the other rules in this Section applicable to first class officers.

* When the journey is more than twenty miles and is made partly by road and partly by trolly, the allowances are regulated by Article 1065 (*iii*).

(b) The head of the office may direct that any officer whose pay does not exceed Rs. 30 shall be allowed accommodation under clause (c) only.

1018. *The Director* of the Royal Indian Marine when travelling on duty by sea or in a river steamer, and the Political Resident at Aden when travelling on duty by sea in that capacity, may recover the actual cost incurred ... modation up to an *amount not exceeding* ... rticle 1016 (a).

1019. The Travelling Inspector of ... while actually engaged on the duties of Travelling Inspector, may draw first class fares for journeys by steamer.

1020. In cases of doubt or in cases in which, owing to the arrangement of the classes on the steamer, the rules, if *construed strictly*, involve hardship, the Local Government, or the Head of a Department in respect of non-gazetted subordinates, has power to decide what class of accommodation any particular officer should be allowed.

102... 1), and 1098, no more ... state than the quantity the freight on which is included ... ge.

Table-money.

1022. If board is provided on the vessel either by its owners or Commander or otherwise, the charge for such board, whether actually included in the passage-money or not, is reckoned as passage-money for the purpose of Articles 1016 to 1021, but in that case table-money is recovered from an officer of the first class (other than a native of India, hindered by caste or other scruples from availing himself of the board so provided) at the following rates for every day on which dinner is provided for him on board :—

(i) If the board includes wines and liquors, three-twentieths of salary up to a maximum of Rs. 8.

(ii) Otherwise, three-fortieths of salary up to a maximum of Rs. 4.

NOTE —[In the case of Political Officers in the Persian Gulf and at Muskat travelling on duty in H M.'s ships or R. I. M. vessels, table-money is recovered at the rate of three-*fortieths* of salary up to a maximum of Rs 4 a day whether board includes wines or not.]

1023. If board is not provided on the vessel, or, *though* provided, cannot, owing to caste or other religious scruples, be availed of, an officer of the second, third, or fourth class is entitled to table-money for every day on which he dines on board—

(i) At the rate of daily allowance *prescribed* in Article 1063, subject to a minimum of four annas for himself and for each member of his family for whom passage money is admissible and who is not less than six years of age ; and

(ii) At *half such rate for* each such member of his family who is less than six years of age.

Explanation —Table-money *is not recovered* from an officer of the second, third, or fourth class in the case mentioned in Article 1022, nor paid to an officer of the first class in the case mentioned in Article 1023

1024. Port Officers when travelling on detached duty are not subject to any deduction on account of table-money if board is provided on the vessel; and, if board is not provided, they are entitled to table-money at the rates of daily allowances prescribed in Appendix 25.

1025. A second class passenger is not entitled to be supplied with mess at the Commander's table, unless no other mess is provided on the steamer.

1026. When the route by which an officer is entitled to draw travelling allowance embraces a journey by sea which is not actually undertaken (whether owing to the officer's not travelling by the direct route or otherwise), table-money should be recovered from or paid to such officer for the average number of days which the passage occupies, such average, in case of doubt, being determined by the Local Government.

NOTE.—[Articles 1022 to 1026 regarding the recovery of table-money apply to voyages in the neighbourhood of India only.]

1027 and **1027A.** *Cancelled.*

Government vessels.

1028. An officer is bound to travel in an Indian Government vessel, if suitable accommodation be offered to him.

1029. An officer travelling otherwise than on payment of passage-money in a vessel, the cost of which is paid by the State or Local Funds, is subject to the rules regarding scale of accommodation in Articles 1016 and 1017 and table-money in Articles 1022 and 1023. But the travelling allowance of an officer travelling in a vessel, the crew of which is paid by himself and not by the State or Local Funds, is regulated by Article 999.

1030. The rates payable to Commanders of Government vessels for the
with
fficers
iment
on board a vessel of the Royal Indian Marine of officers travelling on

No. 146.

Page 283. Article 1031.

Substitute the following for this article and its heading :—

Crossing River or Arm of the Sea by Steamer.

1031. The rules in this section apply to an officer crossing a river or arm of the sea by steamer in the course of a journey; but when such crossing occurs in the course of a railway journey, and the charge therefor is included in the railway fare, the rules in Section 1 of this Chapter are applied.

(5th Edition—Reprint, No 146, dated 6-9-16)

boat-hire, and the like. Charges incurred on shore are not reimbursed.

SECTION III.—TRAVELLING BY ROAD.

1033. Travelling by road includes travelling by sea or river otherwise than on a steamer (*e.g.*, by steam launch or by boat), and travelling by canals.

Ordinary Mileage Rates.

1034. (*a*) For journeys by road, mileage allowance is calculated at the following rates :—

Officers of the 1st class	8 annas	Officers of the 3rd class	2 ann[illegible]
" " 2nd "	4 "	" " 4th "	1 ann[illegible]

provided that (except in cases of transfer) a non-gazetted ministerial o[illegible] menial officer is only entitled to actual travelling expenses not exceed[illegible] the rate for his class. [*See Rule 1 under Article 1065* (*ii*).]

(*b*) In cases where the journey is made by a motor-car service open [illegible] the public on hire, the allowance shall not exceed twice the actual fare charg[illegible]

1035. In calculating travelling allowance at mileage rates, fraction[illegible] a mile should be omitted, but only in the total of a bill for any one journey, and not in the various items which make up the bill.

Special Mileage Rates.

1036. (*a*) The undermentioned Revenue and Forest officers in Madras receive mileage at the rates shown below when travelling on tour within their respective districts or charges :—

	Without tents Annas.	With tents. Annas
Collectors and Conservators	8	12
Sub-Collectors and passed Assistant Collectors, Deputy [illegible] ors when placed in [illegible] loyed as Instructors [illegible] and Forest Settle- [illegible]	6	8
[illegible] uty Collectors, and Assistant Conservators	4	6

(*b*) The following officers also draw mileage at the special rates shown :—

	Annas.
[illegible]	8
[illegible]	2
[illegible]	6
[illegible] or temporary	4
Assistant Opium Agents	8
Superintendents and Assistant Superintendents in the Northern India Salt Revenue Department	8
Chief Observers at Lahore and Allahabad and Clerks in the Calcutta, Madras and Bombay Meteorological Observatories when inspecting observatories	4
Settlement and Assistant Settlement Officers in Bengal, Bihar and [illegible]	8
[illegible] land acquisition or partition work	4

Special Conveyance.

1037. (*a*) When an officer of a class lower than the first is required by superior authority to travel by special means of conveyance, the cost of which exceeds the daily allowance under Article 1063 when daily allowance only is admissible, or the mileage admissible under Article 1034, the actual cost of transit may be drawn in lieu of daily allowance or mileage. The bill for the actual cost of transit must be supported by a certificate signed by the superior authority and countersigned by the controlling authority, certifying that the use of the special means of conveyance was absolutely necessary, and specifying the circumstances which rendered it necessary.

(*b*) The Audit Officer will report, for the orders of the Local Government, any case in which the concession appears to have been improperly granted.

Chapter LIII.—Travelling Allowances for Journeys on Tour.

SECTION I.—GENERAL RULES.

1038. An officer other than one of those referred to in Article 1039, whose duties, whether ordinary or special, necessitate his travelling within or (under proper authority) beyond the circle of his ordinary jurisdiction is entitled to travelling allowance which may be either—

(*a*) a permanent monthly allowance ;
(*b*) a daily allowance ;
} These may, under certain conditions, be exchanged for mileage under Chapter LII.

(*c*) a conveyance allowance or actual conveyance hire.

Journeys to hill stations do not come within this rule.

1. An officer undertaking a journey to attend a Chapter of the Star of India or of the Indian Empire to which he has been summoned, travels on duty within the meaning of this Article.

2. A Chaplain proceeding to a distance from head-quarters to solemnise a marriage ; or a medical officer leaving his station to attend upon the family of a public officer, which he is not bound to attend free of charge as a part of his regular duties, is not travelling on duty within the meaning of this Article

1039. The pay of the officers named in Appendix 20 has been fixed so as to compensate them for the cost of ordinary journeys (other than journeys by rail or steamer) within their respective jurisdictions, and they are not entitled to travelling allowance for such journeys When travelling by rail or steamer within jurisdiction, they are entitled to travelling allowance under Articles 1011 to 1032. When proceeding under proper authority beyond their jurisdiction, they are entitled to travelling allowance for their entire journey, including such part of it as is within their jurisdiction.

[illegible]

1040. The Local Government is empowered to add to the list of officers in Appendix 20 subject to confirmation, on report of its proceedings to the Government of India

Limits of Ordinary Jurisdiction.

1041. A Local Government may fix the limits of ordinary jurisdiction for, and impose restrictions upon, the duration and frequency of the journeys on any specified duty of any officer or class of officers.

Tents.

1042. (*a*) The Local Government or the Head of an Imperial Department in respect of his subordinates, is empowered to lay down the scale of Government tents to be supplied for the use on tour of any particular officer or class of officers for office and, if it think fit, private purposes.

(*b*) When tents which are the property of Government are used only for office purposes by an officer on tour, they are carried at Government expense. When they are used partly for office and partly for private purposes, the officer using them must, save as provided in Article 1000, pay half the cost of carriage. When they are used wholly for private purposes, the officer using them must, unless the case is met by Article 1000, pay the whole cost of carriage.

Page 286. Article 1044.

Substitute the following for Exception (*b*) under thi Article :—

(*b*) Sub-Inspectors of Police in Bombay employed exclusively o railways.

(5th Edition—Reprint, No. 125, dated 6-6-16.)

Exceptions.—The following officers who draw permanent monthly travelling allowance may draw single fare for a journey by rail in addition :—

(*a*) District Inspectors of Excise in the Central Provinces, provided the Deputy Commissioner certifies that the journey by rail was necessary and that the Inspector has duly earned the monthly allowance

(*b*) Police Inspectors in Bombay.

Government Estates, United Provinces.

(*e*) Officers of the fourth class

1045. The Local Government may, either by a general order applying to a class of officers or by a special order, permit an officer whose circle of duty extends beyond the limits of a single district, to draw, whenever his actual travelling expenses for a duly authorised journey on duty by public

conveyance exceed double the amount of his permanent allowance for the period occupied in such journey, the difference between such double permanent allowance and the allowances admissible under Chapter LII in addition to his ordinary permanent allowance for such period.

1046. [illegible] when proceeding, [illegible] his permanent [illegible] is is within his ji [illegible] the daily allowance being taken to be one-thirtieth of the permanent monthly allowance.

1047. A permanent monthly [illegible] on leave or during joining time, [illegible] allowance of any other kind is dra [illegible] a permanent allowance may, at the option of the officer receiving it, be drawn in lieu of any other travelling allowances admissible under these Regulations.

1048. Permanent monthly allowances are granted to the officers named in Appendix 22 at the rates shown therein

Additions to this Appendix can be made only with the sanction of the Government of India.*

1049. (*a*) The Local Government may grant to a Forest officer, in lieu of other travelling allowance, a permanent allowance, according to the following scale :—

	Rs.
To an officer in charge of a circle	150 a month.
[illegible]	
	100 „
Bombay, or a probationer for the Provincial Forest Service	75 „
(iii) If below the rank of Extra Assistant Conservator .	50 „
To an officer in charge of a sub-division or range—	
(i) If not below the rank of Extra Assistant Conservator or a probationer for the Provincial Forest Service	60 „
(ii) If below the rank of Extra Assistant Conservator .	20 „

(*b*) Where a charge is specially extensive, or travelling is unusually costly, the above scale may be increased, with the previous sanction of the Government of India, by twenty-five or fifty per cent

1050. Conservators of Forests in the Madras Presidency may grant a Deputy Ranger or a Forester not in charge of a Range a permanent monthly travelling allowance not exceeding Rs. 8. Conservators of Forests and Deputy Conservators in charge of circles in the Bombay Presidency may grant a Forester, whose pay is not less than Rs. 15 per mensem and who is not in charge of a Range, a permanent monthly travelling allowance not exceeding Rs 10.

* The rule in this Article is to be read as superseded or revised by the Resolutions defining the powers of the Government of India and Local Governments in this matter. No amendment has, however, been made in this reprint pending a general revision of the Code.

1050A. The Government of Burma may grant a permanent monthly allowance to all officers of or below the rank of Inspector in the various Settlement and Survey establishments (including clerks and menials), as well as to Demarcation Officers and their clerical and menial establishments, subject to the conditions that the maximum in any case shall not exceed Rs. 30 and that only half rates shall be admissible during the recess season.

NOTE.—[*The Local Government may delegate its power under this article to the Financial* Commissioner in respect of temporary establishments which he is competent to sanction.]

1051. Munshis and clerks attached to Canal Divisions of the Public Works Department and sub-divisional clerks and munshis on the establishment of the Executive Engineer, Kumaon Government Estates, United Provinces, who are liable to be at any time required to go on tour, may, at the option of the Local Government, be granted a permanent monthly allowance of Rs. 10, in lieu of all other travelling allowance.

NOTE.—[Munshis and clerks stationed beyond the external boundaries of the Hazara, Peshawar, Kohat, Dera Ismail Khan or Dera Ghazi Khan districts, receive a permanent monthly allowance of Rs. 15, with the sanction of the Local Government in each case.]

SECTION III.—DAILY ALLOWANCES—CONDITIONS.

1052. (*a*) A daily allowance is intended to cover the ordinary daily charges of an officer on tour; it is drawn only during absence from head-quarters on duty, including the period of halts on duty, or on an authorised holiday, during such absence.

(*b*) Save where otherwise expressly provided, daily allowance is inadmissible for journeys, or halts in the course of journeys, under any other Chapter of these Regulations.

1053. The period of absence from head-quarters begins on the day on which the officer actually leaves head-quarters, and ends on the day on which he returns to them. It is not reckoned by the departure or return of his camp equipage.

1054. (*a*) The Local Government may apply the provisions regarding a halt at head-quarters, contained in Article 1059, subject to the conditions and certificates therein specified (as far as applicable), and to such other restrictions as may seem requisite, to the period, if any, intervening between the departure from, or arrival at, head-quarters of an officer and of his camp equipage.

(*b*) In the case of officers in Sind, the Local Government may similarly apply the provisions of Article 1059 to the period, if any, intervening between the engagement of camp equipage, and the departure from head-quarters on tour.

NOTE.—[See note under Article 1059.]

1055. No travelling allowance, other than a permanent monthly allowance, is admissible for any day on which an officer does not reach a distance exceeding five miles from head-quarters, or return thereto from a distance exceeding five miles. But an officer travelling on duty within five miles of

head-quarters is entitled to draw the actual amount spent by him in payment of ferry and other tolls or railway fare.

Exceptions.—1. No travelling allowance, other than a permanent monthly allowance, is admissible to a District or Assistant District Superintendent of Police for visiting a police station, otherwise than in the course of a tour, unless he travels at least twenty miles in one day. In this clause "Tour" means a journey which involves absence from head-quarters for two or more consecutive nights, and the visitation of two or more police stations or posts.

2. In the Bombay Presidency, general duty Karkuns, general-duty Circle Inspectors and their peons, Talatis deputed on duty outside their jurisdictions, Taluka Head Munshis in the Province of Sind when deputed to carry out field inspections or other similar work ordinarily carried out by Mukhtyarkars, such Excise (Abkari) Inspectors and Sub-Inspectors as do not receive a horse allowance, Nazirs of Subordinate Civil Courts stationed in towns provided with first class Subordinate Judges' Courts, and Veterinary Assistants in charge of stationary dispensaries are exempted from the operation of this Article, as also are peons attached to Revenue Inspectors in the Madras Presidency.

NOTE.—[The term "general-duty Karkun" applies to any member on the establishment of a Mamlatdar or Mahalkari occasionally deputed to any part of a taluka for any special enquiry or purpose when the duty for any reason cannot be performed by a Circle Inspector.]

Halts during Tour.

1056. A daily allowance may not be drawn for more than ten days of a halt at one place. But general or individual exemptions from the operation of this rule may be sanctioned by the Local Government by a general rule or order, where they are satisfied—

(*a*) that prolonged halts are necessary in the interests of the public service, and

(*b*) that such halts necessitate the maintenance of camp equipage or, where no camp equipage is maintained, entail extra expense on the officer after the first ten days.

Similar exemptions, subject to the same conditions, may be granted in individual cases up to a limit of 30 days by Imperial Heads of Departments and Provincial Heads of Departments, Commissioners of Divisions, Settlement Commissioners, and Superintending Engineers to whom the Local Government may delegate authority for this purpose.

It is open to the authority sanctioning the exemption to lay down any limits or conditions, which it may think fit to impose; for instance, when an exemption is made under this Article, the full daily allowance admissible under rule may be reduced by such an amount, and may be granted for such number of days, as the sanctioning authority may deem proper in each case.

NOTE 1.—[A general-duty Karkun in Bombay draws daily allowance for the first 120 [illegible] e limitation im-

[illegible] (*b*) the Central Criminal Intelligence Department, and (*c*) the Meteorological Department, the Head of the Department exercises the powers of a Local Government under this Article.]

NOTE 3.—[The Resident at Baroda exercises the powers of a Local Government under this Article as regards officers serving under him on boundary settlement work.]

NOTE 4.—[The Chief Inspector of Mines may exempt the clerks of his office [illegible]

for the month.]

1057. (*a*) For the purpose of Article 1056 a halt is continuous unless terminated by an absence at a distance exceeding 5 miles for a period including not less than three nights.

(*b*) In calculating the ten days referred to in that Article any day on which the officer travels or halts outside the five miles radius is to be excluded For such a journey or halt the officer may draw daily allowance or, if he is entitled to them, allowances under section 5, Chapter LIII.

(*c*) After the expiry of ten days an officer may draw travelling allowance under the ordinary rules for journeys from the halting place even though followed by a return to it.

NOTE.—[In Articles 1056 and 1057, the halting place for the purposes of Article 1055 should be considered to be the officer's temporary head-quarters.]

1058. A list of officers and establishments who have been exempted from the rule in Article 1056, conditionally or unconditionally, will be found in the Manuals of the local audit officers concerned.

Head-quarters.

1059. (*a*) A Local Government may, by general or special order, permit any officer or class of officers to draw, during a halt at head-quarters, the actual expense (not exceeding the daily allowance) of keeping up camp equipage (when it is necessary to do so) during a halt: provided such actual expense may not be drawn for a longer period than twenty-one days in Sind or Rajputana, and ten days in other places.

Explanation.—A halt is not interrupted for the purpose of this rule by an absence on duty from the place of halting for less than three nights.

(*b*) An officer drawing an allowance under this Article, for a halt at head-quarters, must certify that he has during such period kept up the whole or part of his camp equipage, and that the expense so incurred is not less than the halting allowance drawn. In the case of a non-gazetted or menial officer the head of the office must also certify that it was necessary for such officer to keep up the whole or a part of his camp equipage as the case may be.

(*c*) Except in the case of officers to whom Exception 2 to Article 1055 applies, a halt within five miles of head-quarters in the course of a tour is, for the purpose of this Article, treated as a halt at head-quarters.

NOTE.—[Riding camels and riding horses may, under the orders of the Local Government, be treated as camp equipage for the purposes of Article 1059 in the case of Munshis and clerks in the Punjab and Sind, and also for the purposes of Article 1054 (*b*) in the case of such officials in Sind.]

1060. The Local Government may determine, in case of doubt, what are the head-quarters of any officer serving under it. The Head of an Imperial Department may similarly decide in the case of his subordinates.

Cumulative Allowances.

1061. (*a*) An officer compelled, on a sudden emergency, to leave his camp and proceed rapidly on duty to a place more than twenty miles distant, may,

under the special order of the Local Government, draw the actual expense of maintaining such camp, not exceeding the daily allowance, in addition to the allowances admissible under Chapter LII, whether the camp be moved or not.

(*b*) The Local Government may delegate its power under this Article to the head of a department.

1062. An officer entitled to daily allowance, whose jurisdiction extends over a whole province, may, when making a journey of over a hundred miles to the first and from the last camp of a tour, in lieu of the daily allowance admissible for the days occupied by such journey, recover the whole necessary expenditure incurred thereupon, including the conveyance of camp equipment, servants, horses, motor-cars, motor-cycles, bicycles and private baggage. The number of servants, horses, motor-cars, motor-cycles, bicycles and the quantity of private baggage to be thus charged for should be fixed by the Local Government.

SECTION IV.—DAILY ALLOWANCES—RATES.

1063. Officers are entitled to daily allowances as follows:—

(i) An officer of the first class, Rs. 5.

(ii) An officer of the second class, four annas for every Rs 25 or fraction of Rs. 25 of the pay or maximum pay of his appointment, subject to a maximum of Rs. 3.

(iii) An officer of the third class, two annas for every Rs. $12\frac{1}{2}$, or fraction of Rs. $12\frac{1}{2}$ of the pay or maximum pay of his appointment, subject to a minimum of six annas in the Bombay Presidency, or four annas elsewhere.

(iv) An officer of the fourth class, three annas if he travels over more than one province, and two annas if he travels over a single province.

Exceptions—(*a*) The officers mentioned in Appendix 25 are entitled to daily allowance as shown therein

the Inspector General to Rs 3.

(*bb*) The camp clerk of the Inspector General of Irrigation draws a daily allowance of Rs. 2 which may, in special cases, be increased by the Inspector General to Rs 3. The peons who accompany the letter on tour draw a daily allowance of four annas.

(c) The Vice-Consul at Jeddah and the Vice-Consul for Hodeida and Kamaran, when travelling in their Vice-Consular capacity on the public service in the Hedjaz, Red Sea, etc., are reimbursed their actual travelling expenses and receive in addition £1 per diem for subsistence.

(i) Clerks on salaries of less than Rs 100—Full salary, provided the sum of salary and allowance does not exceed Rs. 150 a month.

[illegible]

[illegible]

With the following exceptions, an officer of the Public Works Department holding an appointment as a Secretary, or any other special appointment draws no daily allowance of any class in the Department:—

(1) The Secretary to the Government of India in the Public Works Department is entitled to a daily allowance of Rs. 10.

(2) Secretaries and [illegible] Secretaries to Governments in the Public Works Department of Madras, Bombay, Bengal, the United Provinces, Punjab, Burma, and Bihar and Orissa, when travelling with the Governor or Lieutenant-Governor, are entitled to a daily allowance of Rs. 10.

PART VI.

SECTION V.—MILEAGE IN LIEU OF DAILY ALLOWANCES.

When Daily Allowances are exchangeable.

1065. An officer may for any day draw in lieu of his daily allowance—

(i) if he travels by railway or steamer or both, the allowances admissible under *Articles* 1011 *to* 1015 *or Articles* 1016 *to* 1032, *or* both, as the case may be;

(ii) if he travels more than twenty miles by road, or if, being a non-gazetted ministerial or a menial officer, he travels by public or hired conveyance under a certificate from the head of the office that he was required to do so, the allowances admissible under Chapter LII;

1. Under this clause a non-gazetted ministerial or a menial officer is only entitled to actual [illegible]

following orders :— [illegible]

(iii) if he travels partly by road and partly by rail or steamer, or both—

(1) in respect of the road journey, the allowance admissible under Articles 1033 to 1037, limited unless the conditions of clause (ii) of this Article are fulfilled, to the amount of the daily allowance;

[illegible]

(2) in respect of the journey by railway or steamer, the allowances [illegible] under Article 999, or Articles 1011 to 1015, or [illegible]

1066. In the case of officers whose salary does not exceed Rs. 200 a month the Local Government may, by general or special order, and subject to such conditions as it thinks fit to impose, permit any officer or class of officers to draw allowances admissible under Chapter LII for the whole period of any absence from head-quarters on condition that no daily allowance is drawn for such period, if it considers that their duty is such that the daily allowance is not sufficient to cover travelling expenses.

Officers attached to Railways.

1067. The following officers, whose duties require them to travel constantly by railway, are not entitled to allowances under Articles 1011 to 1015, except in cases of transfer from one line to another, but are granted daily allowances for any day on which they are absent from their station for more than eight consecutive hours, in addition to a free pass, or if they are not allowed a free pass, the fares for themselves and for the servants and baggage accompanying them which a free pass would cover :—

All officers and men of Railway Police.

All officers attached to Open Lines of State Railways except the Train Staff or Running Establishment.

Government Examiners of Railway Accounts and their establishments.

Government Inspectors of Railways and their establishments

Government Telegraph Officers employed on the maintenance of telegraph lines along railways.

Medical subordinates attached to Open Lines of Guaranteed or State Railways.

Other officers to whom the concession may from time to time be extended.

1 Inspectors of maintenance on State Railways are not entitled to draw allowances under this Article, except when they are, under special circumstances, absent from head-quarters for more than four hours between 9 P M. and 5 A M, such absence being certified by the head of their department.

NOTE —[The Railway Board may grant at their discretion travelling allowance under this rule to Permanent-Way Inspectors temporarily transferred from open to unopened (construction) lines]

2 The proviso in Article 23 applies to allowances drawn under this Article

NOTE —[The time thus spent on the road or steamer journey must be neglected by the officer in calculating the duration of absence from his station for the purpose of claiming daily allowance under this Article]

Postal (Mail) Officers.

1068. Superintendents and Assistant Superintendents, Railway Mail Service, Inspectors General, Railway Mail Service and Sorting, and Inspectors of Sorting are entitled, for journeys by railway within the limits of the railways to which they are attached, to free conveyance, and to their daily allowance for any day on which they are absent from head-quarters for not less than six consecutive hours. The same rule applies to journeys by postal

No. 197.

Page 295. Article 1068.

Substitute the following for the rule under this Article :—

1. Superintendents and Assistant Superintendents, Railway Mail Service, Inspectors General, Railway Mail Service and Sorting, and Inspectors of Sorting are entitled, for journeys by road irrespective of the distance travelled, to mileage under Articles 1033 to 1035, but the time spent on such journeys must be excluded in calculating the duration of absence from head-quarters for the purpose of claiming daily allowance under this Article

(6th Edition—Reprint, No 197, dated 11-4-17.)

1069. Superintendents and Assistant Superintendents, Railway Mail Service, Inspectors General, Railway Mail Service and Sorting, and Inspectors of Sorting may also draw daily allowance, if they are absent from head-quarters for a continuous period of six hours, forming part of one day and part of the next. Provided that if further daily allowance on account of any other journeys is earned under the preceding Article on both the days, it shall be drawn for only one of the two days.

Officers in the Survey of India Department.

1070. (*a*) The following special rules apply to officers in the Survey of India :—

(i) A Survey officer may, for a journey in the field, exchange his daily allowance for the allowance admissible under Chapter LII only when he is specially authorized by the Surveyor General or Administrative Superintendents, and when he has to travel by public or hired conveyance or is employed on special duty.

(ii) Whenever for a journey to or from the field or any other journey in which an officer has to travel with camp equipment, the actual travelling expenses of a Survey officer, including charge by public or hired conveyance, the cost of carriage to and from such conveyance, for himself, his servants and baggage, not exceeding the limit named in the table below, exceed the amount admissible under Chapter LII, he may for such journey, in lieu of the amount so admissible, draw such actual expenses

on a bill prepared in sufficient detail and countersigned by the Surveyor General or Administrative Superintendents: —

—	When obliged to travel with camp equipment.	Otherwise.
Servants.	No.	No.
For an officer of the Imperial Service of not lower rank than an officer in charge of a party or for an Extra Deputy Superintendent	6	3
For an Assistant Superintendent; or for an Extra Assistant Superintendent whose pay is not less than Rs. 500 .	4	2
For any other officer (including probationers) of the old and new Provincial Services or for a Sub-Assistant Superintendent of the Upper Subordinate Service who draws a pay of Rs. 250	3	1
For any other officer (including probationers) of the Upper Subordinate Service	2	1
For an officer of the Lower Subordinate Service or for a Sub-Assistant Surgeon	1	1
Camp Equipment and Baggage.	Mds.	Mds.
For an officer of the Imperial Service of not lower rank than an officer in charge of a party or for an Extra Deputy Superintendent	35	12
For an Assistant Superintendent; or for an Extra Assistant [illegible]	25	8
[illegible] carrying a pay of Rs. 250	15	5
For any other officer (including probationers) of the Upper Subordinate Service	10	3
For an officer of the Lower Subordinate Service (including [illegible] Sub-Assistant [illegible]	8	2
F[illegible] less than Rs. 50	5	2

NOTE.—[In applying this rule a journey must be treated as a whole. An officer cannot draw actual expenses under this rule for a part of a journey and ordinary rates for the remainder.]

(iii) When the actual expenses for a whole month for carriage in the field of camp equipment and baggage, limited as in the preceding clause, exceed half the daily allowance admissible for that month, a Survey officer may appropriate half his daily allowance to pay for camp equipment and extra servants, and in lieu of the other half of the daily allowance may recover such actual expenses by bills prepared and countersigned as in the preceding clause. When coolies are employed, camp equipment and baggage must be limited to half these weights.

Officers in the Madras Survey.

(b) The above rules apply also to officers in the Madras Survey (including those doing duty as Land Records Superintendent), with the two following modifications, namely, the Director of Survey and the Director of Land

Records exercise the functions of the Surveyor General or Administrative Superintendents, and the following table is substituted for the table in clause (*a*) :—

—	When obliged to travel with camp equipment.	Otherwise.
Servants.	No	No.
For an Assistant Director of the 1st, 2nd, 3rd or 4th class, and for an Assistant Director of the 5th class when in charge of a survey party	6	3
For an Assistant Director of the 5th class when not in charge of a survey party	4	2
For a Sub-Assistant	3	1
Camp Equipment and Baggage.	Mds.	Mds
For an Assistant Director of the 1st, 2nd, 3rd or 4th class and for an Assistant Director of the 5th class when in charge of a survey party	35	12
For an Assistant Director of the 5th class when not in charge of a survey party	25	8
For a Sub-Assistant	15	5
For Head Surveyors, Deputy Surveyors, Writers—		
(*a*) whose salaries are not less than Rs. 50	8 }	2
(*b*) whose salaries are less than Rs. 50	5 }	

1071. Clause (*a*) (ii) of Article 1070 applies to officers of the Geological Survey, the bill in their case being countersigned by the Director.

Other Special Cases.

1072. (*a*) An Inspector of Post Offices may not exchange his daily allowance for mileage on journeys by road. When travelling by rail or sea, or in a river steamer, he draws the single fare of his class and a single fare (when actually paid) of the lowest class for one servant in addition to his daily allowance. Daily allowance is, however, not admissible when the officer is granted table-money or avails himself of board provided on the steamer.

(*b*) An Income-tax Assessor in the interior of Bengal and in Bihar and Orissa and Assam is not entitled to exchange his daily allowance for mileage.

Inferior Servants.

1073. An inferior servant if entitled to daily allowance under Article 1038, may, for a journey by railway, draw his daily allowance in addition to railway fare An inferior servant named in Appendix 20 may draw daily [illegible] admissible under Article

No. 70.

Page 297. *Article 1073.*

Insert the following as Note 1 under this Article, numbering the existing Note as 2:—

NOTE 1.—[The daily allowance admissible under [illegible] Article is not to be drawn when actual expenses or daily allowance are drawn under Article 1[illegible](I).]

(5th Edition—Reprint, No. 70, dated 4-10-15)

SECTION VI.—CONVEYANCE ALLOWANCES.

1074. When an officer has a large amount of travelling at or within a short distance from head-quarters, for which travelling allowance is inadmissible under this Chapter, a permanent conveyance or horse allowance is granted to him, which is drawn throughout the year.

1075. Conveyance allowances are granted to the officers named in Appendix 26.

Additions to this Appendix can be made only with the sanction of the Government of India.* A Local Government may however grant a special daily conveyance allowance to an Assistant or Sub-Assistant Surgeon for the periods during which, on account of epidemics, he has an unusual amount of travelling to do.

How affected when on Tour or on Leave.

1076. (*a*) Save as provided in Article 1077 (*b*), a permanent conveyance allowance is not forfeited during absence from head-quarters, and may be drawn in addition to any other travelling allowance admissible under rule.

(*b*) It is, however, inadmissible, except in the undermentioned cases, during joining time and leave.

[illegible]

actually maintained

[illegible] subject to the production of a

[illegible] o the production of a certificate

[illegible] o the production of a certificate that a horse is actually maintained

Bihar and Orissa —Such of the Inspectors, Sub-Inspectors and Sergeants as are granted a conveyance allowance of Rs. 15, subject to the production of a certificate that a horse is actually maintained

Central Provinces —All subordinate police officers, subject to the production of a certificate that a horse is actually maintained

[illegible] Sub-Inspectors, subject to the pro-

[illegible] cunderabad District Police, subject to the production of a certificate that the usual means of conveyance is actually maintained.

Exception 3.—Inspectors and Sub-Inspectors of Excise in the Bombay Presidency may draw conveyance allowance during joining time on condition that no extra expense is thereby caused to the State.

* The rule in this Article is to be read as superseded or revised by the Resolutions defining the powers of the Government of India and Local Governments in this matter. No amendment has, however, been made in this reprint pending a general revision of the Code.

Public Works, Railway, Telegraph, Forest and other Departments.

1077. (*a*) A conveyance allowance not exceeding the amount shown in each case in the following table may be granted to a subordinate named in the first column by the authority specified in the third column if such subordinate has a large amount of travelling at or near head-quarters.

No. 9.

Page 299, Article 1077—

Edwardesabad.

No. 117.

Page 300. Article 1077.

Substitute the following for the footnote relating to "Assistant Surgeons":—

‡The Military Assistant Surgeon at Lucknow, Oudh and Rohilkhand Railway, draws a horse allowance of Rs. 50 a month.

The Railway [illegible] and the Assistant [illegible] estern Railway, Railway, Calcutta, [illegible] Eastern Bengal

The senior a[illegible] (Nowlakha), the Military Assistant Surgeon in charge of [illegible] geon at Lahore the Carriage and [illegible] nd the Military Assistant [illegible] aranpur, North Western

1078. (*a*) Managers of State Railways may grant a conveyance or horse allowance to subordinate employés on open lines of railway, in cases where the use of a trolly is, in their opinion, a source of danger or of inconvenience, whether with reference to the physical features of the line or to the passage of public trains.

(*b*) The allowance, which is not to exceed Rs. 30 a month for an officer who ranks with an Upper Subordinate, and Rs. 15 a month for an officer who ranks with a Lower Subordinate, should be given on the understanding that an employé who draws it is on no account to be allowed the use of a trolly on the length in question, and cannot draw ordinary travelling allowance while in receipt of this allowance.

1. Sub-Inspectors of maintenance of the Bolan Railway, who are prohibited from using trollies, may be given allowances not exceeding Rs 30 a month under this Article.

1079. Subject to the restriction contained in the note under entry 26 in Appendix 25, a horse allowance of Rs. 20 a month may be granted by the Local Government to any Income-tax Assessor employed in the mufassal of Bengal, or in Bihar and Orissa, or in Assam.

SECTION VII.—CONVEYANCE HIRE.

1080. [illegible] Police officer [illegible] ant, a mem- [illegible] e Telegraph Department of the Head Preventive Officer at Karachi, is despatched as a messenger, on business to a place in the neighbourhood of the office to which the business appertains, or is, outside the ordinary course of duty, suddenly

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[illegible] Department, or Military Works Services [illegible] Rs. 20 a month. A Lower Subor- [illegible] a regularly constituted sub-division [illegible] Central India, may, under the special [illegible] horse allowance not exceeding the [illegible]

Lower Subordinates of the Tochi independent executive charge serving beyond the frontier, and sub-overseers located in the Simla and Kulu Hills, also draw a horse allowance of Rs. 22-8 a month.

Lower Subordinates in the Lushai Hills and in Burma generally receive a horse allowance of Rs. 22-8 a month; for those in the Chin Hills and in Tibet the rate is Rs. 30 a month.

Lower Subordinates of the Military Works Services serving in the Loralai District and at Dalbandin and Kacha in the Chagai District beyond Nushki draw a horse allowance of Rs. 22-8 a month.

‡ The Railway Assistant Surgeon at Rawalpindi, North-Western Railway, draws a horse allowance of Rs. 30 a month.

§ The Storekeeper at Aden draws Rs. 17-8 a month.

summoned to, or despatched from office or some place in the neighbourhood on urgent business, the actual expenses incurred may be charged to Government, provided the head of the office certifies that the charge was unavoidable.

1081. The Local Government may grant to any officer summoned temporarily on duty to a Presidency town or to Rangoon such conveyance allowance not exceeding Rs. 3 a day as it thinks fit, provided that an officer may not draw conveyance allowance under this rule if or while he is entitled to a daily travelling allowance.

1082. Conveyance hire is granted in the special cases shown in Appendix 27 at the rates and under the conditions therein indicated.

Chapter LIV.—Other Journeys.

SECTION I.—JOINING FIRST APPOINTMENT.

1083. Travelling allowance is not ordinarily granted to any person for the journey to join a first appointment in the public service, but in the case of non-gazetted subordinates, whether permanent or temporary, the Local Government may, either by a special order in each individual case, or by a general order in respect of any particular class of officers, allow travelling allowance, the rate admissible being that of the class (Article 1002) to which the appointment the officer proceeds to join belongs. The Local Government may delegate its powers of sanction in individual cases to any subordinate authority.

Exceptions.—In the following cases travelling allowances are admissible for joining a first appointment —

[illegible]

Schools of Art and other Government schools who are appointed as draftsmen in the Survey of India Department

Pensioner re-employed.

1084. The authority competent to sanction the re-appointment may grant travelling allowance to a pensioner or an officer thrown out of employment by reduction of establishment or abolition of appointment, for

such part of the journey to take up a new office on re-appointment to the public service, as falls within India.

Sea.

1085. The Local Govern journey to join an appointm appointed by it or by the Go join except by sea.

ticle 1085.

Article :—

power under this Article to subordinate

1086. The Government Works, and the Superintendent family of any person engaged in Port Blair, respectively.

Officers appointed in Europe.

1087. The rules regarding (*a*) passage to India and outfit allowances (in case of appointment in Europe) and (*b*) return to Europe (on termination of appointment), of certain high officers, which have been framed by the Secretary of State, are given in Appendix 28.

NOTE.—[The rule regarding a Chief Justice or Judge of any of the High Courts is included in Statutory Rule No. 40 in Article 543.]

1088. Officers appointed in Europe to the public service in India are ordinarily allowed by the Secretary of State a free passage to India.

1089. *Cancelled.*

1090. A Chaplain who, during his period of probation, is declared by a Medical Board to be permanently incapacitated for further service in India is entitled on retirement to a free passage to his country, provided that he has not before retirement taken leave on medical certificate. A probationer removed from the service for misconduct of any kind, or who resigns his position for any cause other than certified ill-health, is not entitled to a return passage to his country, and is bound to refund the cost of his passage to India. The Local Government may, however, waive the claim to refund in cases not involving misconduct when satisfied that the circumstances justify this concession.

1091. An officer appointed to the Bengal Pilot Service is granted an Outfit Allowance of £20.

Journeys from Port.

1092. An officer who is appointed by the Secretary of State, while resident in Europe, and who is not one of the high officers referred to in Article 1087, is entitled to tra [illegible] rates laid down in Chapter LII

No. 150.

Pages 303 and 304. Article 1094.

Substitute the following for this Article, as amended by Correction Slips Nos. 34 dated 2nd June 1915, 51 and 52 dated 5th August 1915, 110 dated 4th April 1916 and 127 dated 6th June 1916:—

1094. An officer is entitled to travelling allowance at the rates prescribed in Chapter LII for a journey on transfer from one station to another, if he is transferred for the public convenience, and not at his own request, or in consequence of misconduct, and if he is entitled to pay or salary during the time

No. 170.

Page 303. Article 1094.

Insert the following as a Note under clause (a) of this Article, as amended by Correction Slip No. 150, dated the 10th October 1916 :—

of personal effects by boat a certi-
claimed was actually expended will be
should, however, *satisfy* himself of
that no excessive charges are allowed.]

(5th Edition—Reprint, No. 170, dated 5-12-16.)

officer, including, whether separately charged for or not, the cost of conveyance of one syce and one grass-cutter for each horse, when—

(*i*) The distance travelled exceeds 80 miles ; and

(*ii*) The officer's duties involve touring or similar work necessitating his keeping his own horses.

(*c*) Free transport of a motor car, instead of two horses, for a first class officer, including, whether separately charged for or not, the cost of conveyance of a chauffeur or cleaner, subject to the

No. 206.

Page 303. Article 1094.

Insert the words " and Assam " *after the word* " Burma " *in line 6 of Exception 1 to this Article, as amended by correction slip No. 150, dated the 10th October 1916.*

such part of the journey to take up a new office on re-appointment to the public service, as falls within India.

Sea.

1085. The Local Gov
journey to join an appoint
appointed by it or by the (
join except by sea.

ticle 1085.

Article :—

s power under this Article to subordinate

1086. The Government
Works, and the Superintende
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Port Blair, respectively.

Officers appointed in Europe.

1087. The rules regarding (*a*) passage to India and outfit allowances (*in case of appointment in Europe*) and (*b*) *return to Europe* (*on termination of appointment*), of certain high officers, which have been framed by the Secretary of State, are given in Appendix 28.

NOTE.—[The rule regarding a Chief Justice or Judge of any of the High Courts is included in Statutory Rule No. 40 in Article 543.]

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1090. A Chaplain who, during his period of probation, is declared by a Medical Board to be permanently incapacitated for further service in India is entitled on retirement to a free passage to his country, provided that he has not before retirement taken leave on medical certificate. A probationer removed from the service for misconduct of any kind, or who ... his position for any cause other than certified ill-health, is not entitled

in cases not involving misconduct when satisfied that the circumstances justify this concession.

1091. An officer appointed to the Bengal Pilot Service is granted an Outfit Allowance of £20.

Journeys from Port.

1092. An officer who is appointed by the Secretary of State, while resident in Europe, and who is not one of the high officers referred to in Article 1087, is entitled to travelling allowance at the rates laid down in Chapter LII

from the capital town of the Presidency to which he is attached, to the first station to which he is posted.

1093. (*a*) If such an officer disembarks in India at any port other than the capital town of the Presidency to which he is attached, he is entitled to travelling allowance from such port to the first station to which he is posted, limited to the amount to which he would have been entitled under the preceding Article if he had disembarked at such capital town.

(*b*) But if an officer is directed by the Secretary of State to proceed to a particular port, he is entitled to travelling allowance from that port.

NOTE.—[For the purposes of the preceding Articles, an officer attached to any Province other than Bombay or Madras, is held to be attached to the Bengal Presidency.]

SECTION

No. 127.

No. 110.

Page 303. Article 1094.

Substitute the following for clause (b) *of this Article*:—

(*b*) Free transport of one horse for a third or second class officer and two horses for a first class officer when—

(i) The distance travelled exceeds 80 miles; and

(ii) The officer's duties involve touring or simliar work necessitating his keeping his own horses.

(5th Edition—Reprint, No 110, dated 4-4-16)

(5th Edition—Reprint, No. 127, dated 6-6-16)

...eprint, No. 51, dated 5-8-15)

Substitute the following for clause (c) of ... serted by Addendum No. 34, dated the 2nd June 1915.

(*c*) Free transport of a motor car, instead of two horses, for a first class officer, subject to the following conditions:—

(i) That the distance travelled exceeds 80 miles;

(ii) That the car is actually carried by rail, steamer or other craft;

(iii) That the rates allowed for the transport of the car are those charged by railway or steamer companies for carrying cars at owner's risk; and

(iv) That the officer holds an appointment in which the possession of a motor car is advantageous from the point of view of his efficiency.

(5th Edition—Reprint, No. 52, dated 5-8-15)

No. 110.

Page 304. Article 1094.

the following as Note 3 under this Article :—

suborc... Dehra Du... in the United ... tices and medica... to be transdferrefor ... except in the case of b... ling allowance for their fa...

... officer eligible to draw travelling allowance under Article 1098 has the option ... at or this Article, whichever may happen to be to his advantage.]

(...print, No. 110, dated 4-4-16.)

"NOTE 2.—[Sub-Registrars in Sind, who are remunerated ... travelling allowance when, on public grounds, they are transferred from one station to another.]

1095. The officers mentioned in Article 1067 draw allowances under that

No. 111.

Page 304. Article 1096.

Insert the following as a Note under this Article :—

NOTE —[Survey officers may, at their option, exchange the allowances admissible under this Article for those admissible under Article 1094 or 1098.]

(*8th Edition—Reprint, No. 111, dated 4-4 16.*)

Transfer of Subordinates.

1097. (*a*) An officer of the classes specified below is, in case of transfer, entitled to free passage or refund of passage-money for each member of his family actually travelling with him, at the rates admissible for himself or at half those rates, according as, by the rules of the vessel, full or half passage-money is payable for such member :—

(i) Departmental Officers and Warrant Officers ;

(ii) Non-Commissioned Military Officers ;

(iii) European Soldiers ; and

(iv) Officers of the second or third class whose pay is less than Rs. 200.

(*b*) If, however, any member of the family of such an officer is prevented by good and sufficient cause from travelling with him, the officer who ... for such member : ... of the date of his ... th.

1098. A non-gazetted officer, whose salary after transfer does not exceed Rs 400 a month, is, if the transfer is to a station more than 200 miles distant by the ordinary route, and is made for a period exceeding three months, entitled to travelling allowance as follows :—

(*a*) For a journey by steamer or railway, to the amount actually paid in fares for the officer himself, his family, and servants, subject to the following limits :—

(i) For himself and family—four full fares of the class of accommodation to which he is ordinarily entitled.

(*ii*) For servants—three full fares of the lowest class.

No. 110.

Pages 304 and 305. Article 1098.

Substitute the following for this Article :—

1098. A non-gazetted officer, whose salary after transfer does not exceed Rs. 400 a month, is, if the transfer is to a station more than 200 miles distant by the ordinary route, entitled to travelling allowance as follows :—

(a) For [illegible] lly paid [illegible] subject

(i) For himself and family—four full fares of the class of accommodation to which he is ordinarily entitled.

(ii) For servants—three full fares of the lowest class.

Also to the allowances on the following scale for the carriage of personal effects by steamer or railway .—

Salary of officer.	Allowance.
Rupees 100 or less	$1\frac{1}{2}$ times a third class fare.
More than Rs. 100	One second class fare.

and when the officer's duties involve touring or similar work necessitating his keeping his own horse, the free transport of one horse.

(b) For a journey by road, to four times the rate of mileage to which he is ordinarily entitled, no separate charge being allowed for the cost of carriage of personal effects.

(c) If any member of the officer's family does not travel with him, his or her journey may be charged for within these limits: Provided he or she follows the officer within six months of the date of his transfer or precedes him by a period not exceeding one month.

NOTE.—[The head of the office to which the subordinate is transferred should satisfy himself that the persons for whom travelling allowance is claimed under clause (a) (i) are members of the subordinate's family within the meaning of that term as defined in Article 25.]

1. Civil Sub-Engineers of the Public Works Department, though admitted to gazetted rank are entitled to draw travelling allowance under the provisions of this Article.

(5th Edition—Reprint, No. 110, dated 14-4-16.)

1098-A. Jail warders and head warders who are not in superior service when transferred from one jail to another, inferior servants permanently employed in the survey and settlement parties in the Madras Presidency when transferred from one district to another, Patwaris in the Central Provinces when transferred on promotion to or reversion from the post of Revenue Inspectors from one district to another, and police constables when transferred from one district to another, are entitled to travelling allowance as follows, if they travel with their families :—

(1) By railway or steamer . .	Double fare of the lowest class
(2) By road or boat . . .	Two annas a mile by road and one anna a mile by boat.

(5th Edition—Reprint No. 30, dated 7th May 1918.)

frontier or hill tribe, if such candidate does not attain to such reasonable standard as the Local Government prescribes.

1119. *A civil officer or a military officer in civil employ who obtains* a reward for proficiency in an Oriental language, or who for the first time obtains a Degree of Honour in any language in the Second Division, is entitled to travelling allowance to and from the place of examination.

1120. *Cancelled.*

SECTION V.—JOURNEYS OCCASIONED BY LEAVE OR RETIREMENT.

1121. Save as provided in this Section, or by special order of the Government of India, an officer is not entitled to travelling allowance for a journey on proceeding on, rejoining from, or during leave of any kind ; or on *retirement or dismissal from the public service.*

1121A. The grant of a free passage to or from England in cases not provided for under the ordinary rules requires the previous sanction of the Secretary of State. The sanction may be anticipated by the Government of India only in cases of great urgency where a previous reference to the Secretary of State may result in serious inconvenience.

Leave on Medical Certificate.

1122. A Military officer in civil employ is entitled to the same privileg
ertificate, not combine
ere in military employ
in civil employ, whe
proceeding on or returning from leave to use the certificate in (Military) Form E, giving the right to travel in the next higher class of carriage to that for which he purchases a ticket. This can only be used by officers in military employ

1123. A Military Sub-Assistant Surgeon employed in the civil department is entitled, when proceeding on sick leave, not combined with privilege leave, to the same advantages in respect to travelling allowance as if he were serving with a regiment, but this Article does not entitle a Military officer in civil employ, when proceeding on or returning from leave to use the certificate in (Military) Form E, referred to in Article 1122

1124. The provisions of the Military Transport Regulations applicable to Departmental Officers and Warrant Officers proceeding on or returning from leave on medical certificate, not combined with privilege leave apply also to such officers in civil employ.

1125. A Civil Sub-Assistant Surgeon from another province serving in Burma is entitled to a free passage for himself and his family to his home, when proceeding on leave on medical certificate.

1126. Non-Commissioned officers and men of the Military Police companies at Dacca, Bhagalpur, Ranchi, and Hooghly, taking furlough, leave on private affairs or leave on medical certificate, are entitled to free passage by river and rail to and from their homes.

Recall from leave.

1127. An officer recalled to duty before the expiry of leave, is entitled, if the return to duty is compulsory (*see Article 199*) and if the leave is curtailed by one month or more, to travelling allowance for the journey from the place at which the order of recall reaches him, or, if such place be out of India, to free passage to India, and travelling allowance from the port of debarkation, to the station to which he is recalled. If the amount of the leave curtailed [illegible] be given or withheld at the [illegible] r of the Secretary of State,

1 The officer in charge of a Survey Party may grant at his discretion travelling allowance to Native Surveyors and Subordinates who are recalled to duty from departmental leave before the expiry of that leave.

[illegible]

station

Survey Subordinates.

1128. The Surveyor-General may grant such rail and steamer fares as he considers necessary, to and from the place of recruitment, to khalasis and other menials when proceeding on or returning from leave of any kind, including departmental leave, or on enlistment or discharge He may also grant such travelling expenses as he considers necessary to Surveyors and other subordinates when proceeding on or rejoining from leave to their homes if the latter are situated in provinces other than those in which they are employed.

NOTE —[Similar authority in regard to their respective subordinates may be exercised [illegible]

Retirement.

1129. The Superintendent of Port Blair and the Nicobars may grant to any subordinate employed there a free passage to India for himself and his family, on dismissal or retirement. He may also grant a free passage to India to the family of any subordinate who may die while employed there.

1130. The Government of Bombay may grant to any subordinate employed at Aden a free passage to India for himself and his family, on dismissal or retirement.

1131. Members of the Police Force in the United Provinces whose homes lie west of the Sutlej, may, on discharge or retirement from the service if their pay was less than Rs. 20, be provided with a railway ticket to enable

them to reach their homes, and may also be allowed subsistence allowance of two annas a day for a period not exceeding ten days: Provided that no policeman shall be entitled to these allowances if he has been discharged for disgraceful conduct or by sentence of a Criminal Court for an offence other than a breach of discipline.

1131A. Honorary Commissioned officers and Warrant officers in civil employ enjoy the same rights as similar officers in Military employ in regard to free passage on retirement after service entitling them to a pension or gratuity, *vide* paragraph 61 (*d*) and (*e*), Army Regulations, India, Volume X.

Termination of Temporary Employment.

1132. A person employed for a temporary purpose, who has received travelling allowance for joining his appointment, may, on the termination of his employment, be allowed travelling allowance to the place at which he was engaged, provided the claim is preferred within three months of the termination of the temporary service, and the officer under whom the person was employed is satisfied that he intends to make the journey.

SECTION VI.—OTHER OCCASIONS.

To give Evidence.

1133. An officer summoned to give evidence of facts which have come to his knowledge, or of matters with which he has had to deal, in his public capacity, either—

(*i*) in a criminal case (including a case before a Court Martial), or
(*ii*) in a civil case to which Government is a party, or
(*iii*) in a departmental enquiry held by a properly constituted authority, may draw travelling allowance under the rules for journeys on tour:

Provided that (if he is not a police officer) he must obtain from the Court in cases (*i*) and (*ii*) any travelling or subsistence allowance to which he is entitled by the rules of the Court and must deduct the amount from the travelling allowance claimed

NOTE 1.—[A police officer is granted no allowance by the Court, but is given a certificate of attendance.]

NOTE 2.—[An officer on leave summoned to give evidence of the kind contemplated in this Article is entitled to travelling allowance under this Article from and to the place from which he is summoned as if he were on duty.]

NOTE 3.—[An officer summoned to give evidence before a Court of Law in a Native State [illegible]

1134. (*a*) An officer summoned to give evidence under other circumstances is not entitled, by reason of his being an officer of Government, to any allowances, other than those admissible by the rules of the Court.

(*b*) But if the Court pays him any sum by way of subsistence allowance or compensation, apart from any allowance for travelling expenses, he must repay that amount to Government before drawing full pay for the day or days of absence.

1135. As an exception to Articles 1133 and 1134, Patwaris and Jemadars and Chaukidars of the rural police in the United Provinces summoned as witnesses in Criminal Courts, receive their expenses at the same rates as persons of their rank in life who are not Government servants.

To obtain Medical advice or to accompany a sick officer

1136. An officer compelled to leave his station, whether permanent or temporary, where there is no Medical officer, to procure medical advice, is, on production of a certificate from the Medical officer consulted that the journey was, in his opinion, absolutely necessary, entitled to travelling allowance for the journey to and from the nearest station where a Medical officer is located.

[illegible]

1137. The permission of superior authority should be obtained beforehand where it is possible to obtain such permission without risk to the officer requiring advice Controlling officers must take care that undue advantage is not taken of this privilege. If the absence of the invalid officer from his station be prolonged, he should be required to take leave on medical certificate.

1137A. If a Government servant, under the advice of the Civil Surgeon or other Government Medical officer whose official duty it is to attend a sick officer professionally, is required to undertake a journey to a Presidency town or elsewhere, either when proceeding on leave on medical certificate or to procure further medical advice, and the Civil Surgeon (or other Medical officer as above) considers that it would not be safe for him to make the journey without attendance on the way, the Medical officer may either himself accompany the patient to his destination, or depute or arrange with some other Government officer to do so In such cases the attendant shall be deemed to have been travelling on duty and may draw travelling allowance at the usual rates for the journey both ways.

1137B. A probationary chaplain who is obliged to undertake a journey in order to procure from a Medical Board the health certificate required under Article 576, is entitled to travelling allowance for the journey.

1138. An officer applying for an invalid pension, who is required to leave his station to appear before a Medical Board, may, if the pension is applied for under the direction of the applicant's official superior on the ground of his incapacity for work and in the interest of the public service, be granted for the journey his actual expenses not exceeding the amount he would receive if travelling allowance were admissible. If it is necessary for the officer to return to his station after appearing before the Medical Board, he may be granted travelling expenses subject to the same limit. The bill should be

supported by a certificate that the applicant was directed in the interest of the public service to apply for an invalid pension, and that he did not voluntarily ask to retire.

The same concession may be granted, with the sanction of a Head of a Department or Commissioner of a Division, in cases in which application is made voluntarily, provided such authority is satisfied that the circumstances of the applicant are such as to justify it.

Officers under training.

1138A. A Local Government may at its discretion decide, in the case of an officer, including a student not already in Government service, who is selected to undergo a course of training at any school, college, or other institution, whether any, and, if so, what travelling allowance should be allowed for journeys to and from the training institution either on joining or leaving such institution at the beginning or termination of the period of training or on the occasion of holidays and vacations.

To attend Durbars.

1138B. (1) Travelling and halting allowances at rates within the undermentioned scale may be granted, at the discretion of the Local Government, to a Commissioned Indian Military Officer of the Regular Forces, the Military Police or the Militia, whether on the active or the retired list, when invited to attend a Durbar or a Levée at a place other than that at which he is stationed or has his residence :—

(*a*) For journeys from his station or place of residence to the station at which the Durbar or the Levée is held, and back—single railway and steamer fares actually incurred each way, and actual expenses of road journeys limited to the maximum amount admissible therefor to an officer of the first class

(*b*) For halts at the station at which the Durbar or the Levée is held —Rs. 2 a day.

(2) A civil officer in active service who is permitted to attend a Durbar or a Levée away from his headquarters, is entitled to draw travelling and halting allowances as on a journey on tour.

Chapter LV.—Special Rates for Special Localities.

1139. A Local Government may prescribe that the ordinary rates of daily allowance, or mileage, or both, shall be increased either in a definite ratio or in any other suitable manner for any or all persons travelling in any specified district or locality in which travelling is specially expensive, provided that—

(i) No daily allowance shall be increased so as to exceed Rs. 10.

(ii) No mileage shall be increased so as to exceed one rupee.

(iii) The allowances admissible under Articles 1011 to 1015 and under Articles 1067 to 1069 and 1072 (*a*) for journeys by railway shall not be increased.

(iv) The Local Government may, if it thinks fit, except any officer or class of officers from a general rate of increase, and direct that either the ordinary rates, or a lower rate of increase, be granted to such officer or class of officers.

NOTE.—[Local Governments exercising territorial jurisdiction may prescribe special rates under this Article for journeys in special localities within their jurisdiction. Officers subor-

1140. In certain localities special rates of daily or mileage allowances or both, have been prescribed either generally or for particular [illegible] officers A list of these [illegible]

No. 102.

Page 313. Article 1142.

Substitute the following for this Article :—

1142.—Governors, Lieutenant-Governors and the Chief Commissioners [illegible] travelling expenses and those

No. 222.

Page 313. Article 1144-A.

Substitute the following for this Article :—

1144-A A gentleman who is habitually resident in India at the time of receiving notice of his intended appointment to the Council of India, shall receive £500 as allowance for equipment and £100 for the voyage to England to be paid on appointment, and £100 to be paid on termination of office for the return voyage to India.

(5th Edition—Reprint, No. 222, dated 6-8-17)

bay and of their households, are paid out of the contract allowance for household charges.

1144. A Local Government (other than the Governments of Madras and Bombay) should report to the Government of India, in the Finance Department, any representations made with regard to its travelling expenses by the Accountant-General and any measures taken in consequence of such representations.

Indian Members of the Council of India.

1144A. A gentleman who is habitually resident in India at the time of receiving notice of his intended appointment to the Council of India, shall receive Rs. 4,500 as allowance for equipment and voyage.

Members of Viceroy's Council.

1145. An Ordinary Member of the Viceroy's Council, when travelling on duty by railway, is entitled to a reserved first class carriage for himself, and to third class accommodation for not more than ten personal servants. He is also entitled to recover the cost of conveying with him by rail a private motor-car provided one-fifth of the cost of its conveyance is borne by him. When travelling on duty by road or steamer he is entitled to charge to Government his personal *bonâ fide* travelling expenses, appending to his bill a certificate as follows :—

"I certify that I have actually paid the amount of this bill, and that it does not include any charge for the freight of any stores or goods, other than my personal luggage, or any charge for refreshments, hotels or staging bungalows."

NOTE.—[Further rules are contained in Appendix 30.]

1146. *Cancelled.*

Members of a Governor's Executive Council.

1147. Members of the Executive Councils of Governors and Lieutenant-Governors, when travelling by railway, are entitled to a reserved first class carriage, to railway fares actually paid for four servants at lowest class rates, and to the freight of luggage not exceeding ten maunds. They are also entitled to recover the cost of conveying with them by rail a private motor-car provided one-fifth of the cost of its conveyance is borne by them.

When travelling by road or steamer they are entitled to charge to Government their personal *bonâ fide* travelling expenses, appending to their bills a certificate as follows :—

"I certify that I have actually paid the amount of this bill, and that it does not include any charge for the freight of any stores or goods, other than my personal luggage, or any charge for refreshments, hotels, or staging bungalows

Members of the Imperial and Provincial Legislative Councils.

1148. Additional Members of the Imperial Legislative Council and all Additional Members or Members of the Provincial Legislative Councils, who are required to leave their official head-quarters or usual places of residence for the purpose of attending meetings of any such Councils or transacting business connected with their duties as Members of any such Councils, are entitled to travelling allowances in accordance with the following scale :—

(1) The travelling allowances admissible to an officer of the first class to and from the place at which the Council meets, or the business is to be transacted, and

(2) a daily allowance for each day of residence at the place where the Council is to meet or the business is to be transacted until the

in view, may not be drawn for any period spent in the visitation of a Sanitarium without the express approval of the Local Government.

1150—1157.—*Cancelled (see Appendix 30).*

Fares payable by Officers travelling in a reserved carriage.

1158. The officers mentioned in Articles 1145, 1147, and in Parts II and III of Appendix 30 should pay the usual fares for any person besides themselves travelling in the reserved accommodation provided for them. It is open to the officers to obtain the accommodation they are entitled to by requisition or by purchase of the necessary number of tickets for cash according to their convenience.

NOTE.—[When the reserved accommodation is obtained by the purchase of a prescribed [illegible] n [illegible] n [illegible] t [illegible] e [illegible] e [illegible] —hall [illegible] travelled with me.

[illegible] by requisition in the form prescribed in [illegible] or persons travelling with him and get the [illegible] rtificate to the effect that fares for such [illegible]

Chapter LVII.—Rules of Procedure.

Countersignature.

1159. A bill for travelling allowance (other than a permanent allowance) of an officer, other than the head of a department, on tour should not be paid unless countersigned by the Controlling officer. The Local Government may declare who shall be the Controlling officer for all or any of the officers of any particular department.

1160. In the following cases bills for travelling allowance may be paid without countersignature:—

(*a*) Chaplains—provided the bill is accompanied by the order, authorising the Chaplain to make the journey, of (*a*) the Bishop or Commissary of the Diocese in the case of a Chaplain of the Church of England, and (*b*) the Presidency Senior Chaplain of the Church of Scotland in the case of a Chaplain of the Church of Scotland.

(*b*) Deputy Auditors General, the Examiner of Government Press Accounts and the Auditor of Customs House Accounts in India—provided that duplicate bills are at the same time forwarded to the Comptroller and Auditor General for countersignature and transmission to the Comptroller, India Treasuries.

(*c*) Non-gazetted officers—provided that detailed countersigned bills are subsequently submitted to the Audit Officer for adjustment.

REFERENCE TABLES.

entioned in the first two statements below, the same as in the 5th Edition. The Reference where the rules in that and the 4th Edition

ABBREVIATIONS USED IN THESE TABLES.

N., *Not in the 5th Edition.* Ex., *Exception* r., *rule or rules* n., *note or notes.* O., *omitted*

Table I.—Showing the variations in the rules of the 5th Edition (Reprint) as compared with the 5th Edition of the Civil Service Regulations.

Reference to		Reference to		Reference to		Reference to		Reference to	
5th Edn. Reprint	5th Edn.	5th Edn Reprint	5th Edn	5th Edn Reprint	5th Edn	5th Edn Reprint	5th Edn	5th Edn Reprint	5th Edn.
1 (c)	1 n	474 n 1	N	642 (a) (iv)	642 (a) (iii)	999 (2) (h)	N	1044 Ex (e)	N.
51 n 1	51 n	474 n 2	474 n	642 (b) n 2	N	999 (2) (i) & n	999 (1) (h)	1063 Ex (i) & (j)	N.
51 n. 2	N.	481 n	N	642 (b) n 3	642 (b) n 2	999 (2) (j)	999 (1) (i)	1065 r 1 n 2	N.
72(b) n 2	N	514 (a) n 1 & 2	N	642 (b) n 4	642 (b) n 3	999 (2) (k)	999 (1) (j)	1076 Ex 3	N
124 (c)	124 (e)	635 r 1	N	661 n	N	999 (3)	999 (2)	1116 (5)	N
142	142 (a) & (b)	635 n 1	N	749A } 749B }	1 and 2 in preamble to new Foreign Service rules.	1002 n 1	N	1131 A	N.
172 A	N.	635 n 2	635 n	783	785	1002 n 2	1002 n 1	1137 A	N
172 B	N	642 (a) (i)	N	999(1)	999	1002 n 3	1002 n 2	1137 B	1137 A
280 (a), (b), (c) & n	280 (a), (b) & n	642 (a) (ii)	642 (a) (i)	999 (2)	999 (1)	1002 n. 4	N	1138 B	N.
280 (d), (e) & n	280 (c), (d) & n	642 (a) (iii)	642 (a) (ii)						
356 Ex. 5	N.								

Table II.—Showing the variations in the rules of the 5th Edition as compared with the 5th Edition (Reprint) of the Civil Service Regulations.

Reference to		Reference to		Reference to		Reference to		Reference to	
5th Edn	5th Edn Re-print.	5th Edn.	5th Edn. Re-print	5th Edn.	5th Edn. Re-print	5th Edn.	5th Edn. Re-print.	5th Edn.	5th Edn. Re-print.
1 n	1 (c)	270	O	642 (a) (i)	642 (a) (ii)	645	O.	999 (1) (j)	999 (2) (k)
51 n	51 n. 1	280 (a), (b) & n.	280 (a), (b), (c) & n.	642 (a) (ii)	642 (a) (iii)	785	783	999 (2)	999 (3)
124 (c) & (d)	O.	280 (c), (d) & n	280 (d) (e) & n	642 (a) (iii)	642 (a) (iv)	999	999 (1)	1002 n. 1	1002 n 2
124 (e)	124 (c)	474 n	474 n. 2	642 (b) n. 2	642 (b) n. 3	999 (1)	999 (2)	1002 n 2	1002 n 3
141 Ex	O.	635 n	635 n. 2	642 (b) n 3	642 (b) n. 4	999 (1) (h)	999 (2) (i) & n	1097 n	O.
142 (a) & (b)	142					999 (1) (i)	999 (2) (j)	1120	O.
								1137 A	1137 B

Table III.—Comparing the new with the old Foreign Service rules.

Reference to New rule.	Reference to Old rule.
749 A	N.
749 B	N.
750, *first & second*	750, *first & second*
751	753 (v)
752	754 (*b*) (i) & n. 754 (*b*) (ii) & n. 787 second part & n.
752 n.	N.
753	755 (*b*) 778
754	784
755 (*a*)	786 787 } first part
755 (*b*)	N.
756	753 (iv) (*d*) 766 774 (*c*)
757	788

Reference to New rule.	Reference to Old rule.
758	774 (*a*) & (*b*)
759 & n.	782 A & n.
760	782 B
761 (*a*) & (*b*)	757 A
761 (*c*) & n. 1 & 2	N.
762 (i)	753 (i)
762 (ii)	755 (*c*), second part
762 n.	753 A n.
763	753 (ii) (*a*) 753 (iii) 761 (*b*), first part
763 n.	N.
763 r 1	761 (*a*) n.
763 r. 2.	753 (ii) (*a*) n.
763 r. 3	N
764	753 (iv)
764-II n.	N.

Reference to New rule.	Reference to Old rule.
765 (*a*)	755 (*a*) 757 (*a*)
765 (*b*)	N.
766	755 (*a*) 779 (*a*)
767	754 (*a*) 755 (*a*) (i) & n. 3
767 Ex.	754 (*a*) Ex
767 n.	754 (*a*) n. 2
768	754 (*b*) (i) & (ii) 755 (*a*) (ii)
769	768 780
770	755 (*a*) (i) & (ii) 768
770 n. 1	757 (*b*) n. 1 768 n. 2 779 (*a*) n. 1
770 n. 2	754 (*a*) n. 1 768 n. 2.

Reference to New rule.	Reference to Old rule.
770 n. 3.	757 (*b*) n. 2
770 n. 4	755 (*a*) (i) n. 4 755 (*a*) (ii)
770 n. 5.	768 (*c*)
770 n. 6	N
771	785
771 n 1	785 Ex
771 n. 2	785 n. 1
771 n. 3	785 n. 2
772 (*a*)	762
772 (*b*) (i)	758 (*a*) & n.
772 (*b*) (ii)	763 (*a*)
772 (*b*) (iii)	763 (*e*) & n
772 (*b*) (iv)	763 (*g*)
772 (*b*) (v)	N.
773	753A 771 773

Table III.—Comparing the new with the old Foreign Service rules—contd.

Reference to		Reference to		Reference to		Reference to	
New rule	Old rule.	New rule.	Old rule.	New rule.	Old rule.	New rule.	Old rule.
774 (*a*)	772 (*c*)	775 (*c*)	770 n. 772 (*b*) n.	779	779 (*a*) 780	782	792
774 (*b*) (1)	772 (*a*)	776	775 776	780 (*a*)	789	783	795
774 (*b*) (2)	772 (*b*)	777	782, second part	780 (*b*) & (*c*)	790 & n.	783 n. 1	795 n. 2 (*b*)
775	770	778	782, first part & n.	781	757 (*b*) 791	783 n. 2	N.
775 (*b*)	777						

Table IV.—Comparing the old with the new Foreign Service rules.

Reference to		Reference to		Reference to		Reference to	
Old rule	*New rule.*	*Old rule*	*New rule.*	*Old rule.*	*New rule.*	*Old rule.*	*New rule.*
750 *first & second*	750 *first & second*	754 (*a*) n. 2	767 n.	757 (*b*) n. 1 & 2	770 n 1 & 3	763 (*g*)	772 (*b*) (iv)
750 *third*	O.	754 (*b*)	768 & 752	757 (*b*) n 3	O.	764	O.
751	O.	755 (*a*) (i)	770 767	757 A	761 (*a*) & (*b*)	765, first part	750 *second*
752	Cancelled	755 (*a*) (i) n. 1 & 2	O	758 (*a*) & n	772 (*b*) (i)	765, second part	O.
753 (i)	762 (i)	755 (*a*) (i) n 3	767	758(*b*)	O.	766	756
753 (ii) (*a*)	763	755 (*a*) (i) n 4	770 n. 4	759	O.	767	O.
753 (ii) (*a*) n	763 r 2	755 (*a*) (ii)	770 768	760	O.	768	769 770
753 (ii) (*b*)	O	755 (*a*) (ii) *n.*	O.	761 (*a*)	O.	768 n. 1 & 3	O.
753 (iii)	763	755 (*b*)	753	761 (*a*) n.	763 n 1	768 *n. 2*	770 n. 1 & 2
753 (iv)	764	755 (*c*) first part & note	O.	761 (*b*), first part	763 (iv)	769	O.
753 (iv) (*d*)	756	755 (*c*), second part	762 (ii)	761 (*b*), second part & r. 1	O.	770	775
753 (v)	751	756	O.	761 (*b*) n	763 r. 2.	770 n.	775 (*c*)
753 A	773, first part	757 (*a*)	765 (*a*) 770	762	772 (*a*)	771	773
753 A n.	762 n.	757 (*b*)	781	763 (*a*)	772 (*b*) (ii)	772 (*a*) & (*b*)	774 (*b*) (1) & (2)
754 (*a*)	767			763 (*b*), (*c*), (*d*), (*f*) & (*h*)	O.	772 (*b*) n.	775 (*c*)
754 (*a*) Ex.	767 Ex.			763 (*e*) & n.	772 (*b*) (iii)	772 (*c*)	774 (*a*)
754 (*a*) n. 1	770 n. 2						

Table IV.—Comparing the old with the new Foreign Service rules—contd.

Reference to		Reference to		Reference to		Reference to	
Old rule.	New rule.	Old rule.	New rule	Old rule.	New rule.	Old rule.	New rule.
772 (c) n.	O.	779 (a) n. 1	770 n. 1	784	754	789 }	} 780
773	773	779 (a) n. 2 & (b)	O.	785	771	790 }	} 780
774 (a) & (b)	758	780	{ 769, last part; 779	785 Ex.	771 n. 1	790 Ex.	O.
774 (b) n.	O.	781	O.	785 n. 1	771 n. 2	791	781
774 (c)	756	782, second part	777	785 n 2	785 n. 3	792	782
775	776	782, first part & n.	778	786 }	} 755 (a)	793	O.
776	776	782 A	759	787, first part }	} 755 (a)	794	O.
777	775 (b)	782 B	760	786, second part	O.	795	783
778	753	783	O.	787, second part & n.	752	795 n. 1 & 2 (a)	O.
779 (a) {	766; 779			788	757	795 n. 2 (b)	783 n. 1

INDEX.

This Index has been compiled solely for the purpose of assisting references. No expression used in it should be considered in any way as interpreting the rules.

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